

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF SEPTEMBER 27, 2007**

A meeting of the New York State Racing and Wagering Board was held on Thursday, September 27, 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 11:05 a.m.

In Attendance Were:

Daniel D. Hogan, Chairman
Michael J. Hoblock, Jr., Member
John B. Simoni, Member
John G. Cansdale, Executive Director
Robert Feuerstein, General Counsel
Joseph Lynch, Director of Racing Operations
Patrick Wade, Audits & Investigations
James Kellogg, Audits & Investigations
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
Bill Sekellick, Assistant Counsel
Robert Hemsworth, Capital OTB
Mike Conners, Albany County
Kristin DeVoe, Albany County
Joseph McClure, Albany County
Henry Barker, Albany County

OPEN COMMENT PERIOD: Comments began at 11:01 a.m.

Michael Conners, Albany County Comptroller, spoke in opposition to Board acceptance of Capital District Regional OTB's compliance plan. He stated that Capital OTB and others are

engaged in behavior not in the best interests of racing and are involved in cover-up attempts and attempts to obscure the investigation. He requested that the Board examine Capital OTB's corrective action plan and act accordingly.

Comments ended at 11:05 a.m.

A. The Board approved the minutes of the Board meeting held on August 28, 2007.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. BUFFALO RACEWAY - REQUEST TO OFFER PROMOTION - THOROUGHBRED HANDICAPPING CONTEST

For entry into the minutes, on September 7, 2007, the NYS Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to conduct handicapping contests on the Saturdays of September 29 and October 6 and 13, 2007. The final of this contest will be held on Saturday, November 3, 2007. All winners will be notified by mail and a list of winners must be made available to the general public.

This approval is conditioned on the following:

- The contests must be conducted in accordance with the rules submitted and are subject to audit by the Board
- Officers and employees of the Buffalo Trotting Association are not eligible to participate.

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

For entry into the minutes, on September 12, 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 Turfway Park LLC, Kentucky 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 Buffalo Trotting Association, Inc.'s 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 TO IMPORT
VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Kentucky Downs, Kentucky from September 15, 2007 through September 22, 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 Capital District Off-Track Betting Corporation's simulcast license. Further, Capital District Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Capital District Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

4. For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Fairplex Park, California from September 7, 2007 through September 24, 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 Capital District Off-Track Betting Corporation's simulcast license. Further, Capital District Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Capital District Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

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

5. For entry into the minutes, on August 31, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hawthorne Race Course, Illinois from September 21, 2007 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 Capital District Off-Track Betting Corporation's simulcast license. Further, Capital District Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges

in writing that Capital District Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

6. CATSKILL REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Remington Park in Oklahoma through December 1, 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 Catskill Regional Off-Track Betting Corporation's simulcast license. Further, Catskill Regional Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Catskill Regional Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

7. For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation and Western Regional Off-Track Betting Corporations respective simulcast plans of operation authorizing the simulcast for wagering purposes of races for the remainder of 2007 from The Red Mile in Kentucky.

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 each off-track betting corporation's simulcast license. Further, each off-track betting corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that each corporation may or will provide rebates on wagers for races at that site.

8. For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved amendments to the Catskill Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation and Western Regional Off-Track Betting Corporations' simulcast plans of operation authorizing the simulcast for wagering purposes of races from Cal Expo in California through December 22, 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 each off-track betting corporation's simulcast license. Further, each off-track betting corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges

in writing that the corporation may or will provide rebates on wagers for races at that site.

9. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Delaware County Fair in Ohio from September 16, 2007 through September 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 Catskill Regional Off-Track Betting Corporation's simulcast license. Further, Catskill Regional Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Catskill Regional Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

10. For entry into the minutes, on September 4, 2007, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races for the remainder of 2007 from Zia Park in New Mexico.

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 Catskill Regional Off-Track Betting Corporation's simulcast license. Further, Catskill Regional Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Catskill Regional Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

11. For entry into the minutes, on September 12, 2007, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races for the remainder of 2007 from Northfield Park in Ohio.

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 Catskill Regional Off-Track Betting Corporation's simulcast license. Further, Catskill Regional Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Catskill Regional Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

12. **FINGER LAKES RACETRACK – REQUEST TO CANCEL RACE DATE OF THURSDAY, SEPTEMBER 6, 2007**

For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racetrack request to cancel the racing program on Thursday, September 6, 2007.

13. **FINGER LAKES RACETRACK – REQUEST TO ADD AN ASSISTANT VETERINARIAN – BETH A. ALBRECHT**

For entry into the minutes, pursuant to Board Rule 4005.1, on September 4, 2007, the New York State Racing and Wagering Board approved the employment of Dr. Beth A. Albrecht by the Finger Lakes Racing Association as an examining veterinarian for the remainder of the 2007 racing season. This approval is conditioned upon the receipt by the Board of a satisfactory report based on a federal fingerprint-based criminal history review.

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

For entry into the minutes, on August 21, 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 Kentucky Downs, LLC, Kentucky from September 15, 2007 through September 22, 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 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.

15. For entry into the minutes, on August 22, 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 Mountaineer Park, Inc., West Virginia through December 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 the 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.

16. For entry into the minutes, on August 29, 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 Presque Isle Downs & Casino, Pennsylvania from September 1, 2007 through September 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 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.

17. For entry into the minutes, on August 29, 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 Laurel Park, Maryland for the remainder of 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 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.

18. For entry into the minutes, on August 31, 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 Woodbine Entertainment Group, Ontario, Canada for the remainder of 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 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.

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

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association request to simulcast its thoroughbred racing programs during the remainder of 2007 to State Fair Park, Nebraska.

This approval is limited to the 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. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
 - b. The simulcast receiving sites and any secondary or associated 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 or associated 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 the Finger Lakes Racing Association, Inc. simulcast transactions, if not included within individual contracts, must be supplied to the Board.
 - d. No receiving or secondary or associated sites may rebate on the 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 or associated sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
 - g. Video streaming is prohibited without the prior written approval of the Board.
20. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association request to simulcast its thoroughbred racing programs for wagering purposes for the remainder of 2007 to Nassau Regional Off-Track Betting Corporation, 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. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

- b. No receiving or secondary or associated sites may rebate on the Finger Lakes Racing Association races unless disclosed within the terms of the agreement as submitted to the Board for approval.
 - c. Guests (and secondary or associated 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.
 - d. "Manual merge" is prohibited without the express approval of the Board.
 - e. Video streaming is prohibited without the prior written approval of the Board.
 - f. Internet account wagering is prohibited without the prior written approval of the Board.
21. For entry into the minutes, on September 7, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association request to simulcast its thoroughbred racing programs during the remainder of 2007 to Ellis Park, U-Bet and Pikeville OTB.

This approval is limited to the three 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. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated 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 the Finger Lakes Racing Association, Inc. simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on the 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 or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video streaming is prohibited without the prior written approval of the Board.

22. For entry into the minutes, on September 12, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association request to simulcast its thoroughbred racing programs during the remainder of 2007 to Dairyland Greyhound Park, Wisconsin.

This approval is limited to the 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. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
 - b. The simulcast receiving sites and any secondary or associated 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 or associated 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 the Finger Lakes Racing Association, Inc. simulcast transactions, if not included within individual contracts, must be supplied to the Board.
 - d. No receiving or secondary or associated sites may rebate on the 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 or associated sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
 - g. Video streaming is prohibited without the prior written approval of the Board.
23. **MONTICELLO RACEWAY – REQUEST TO ADD THREE ADDITIONAL RACE DATES IN DECEMBER 2007**
For entry into the minutes, on September 7, 2007, the NYS Racing and Wagering Board approved an amendment to the Monticello Raceway plan of operation to add three racing dates in the month of December 2007. There will be scheduled racing on Friday, December 21, Saturday, December 22 and Sunday, December 23 with a first post time each day of 12:40 p.m.
 24. **MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 22, 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 Northlands Park, Alberta, Canada 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 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.

25. For entry into the minutes, on August 22, 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. Hoosier Park, Indiana from September 1, 2007 through November 24, 2007
2. Laurel Park, Maryland from September 5, 2007 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 the 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.

26. For entry into the minutes, on September 12, 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 Vernon Downs for the remainder of 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 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.

27. For entry into the minutes, on September 12, 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. Oak Tree Racing Assoc., California from September 26, 2007 through November 4, 2007
2. Keeneland Association Inc., Kentucky from October 5, 2007 through October 27, 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 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.

28. NASSAU REGIONAL OTB – REQUEST TO CONDUCT “VIVA LAS VEGAS FALL HANDICAPPING CONTEST” PROMOTION

For entry into the minutes, on August 29, 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 “Viva Las Vegas Fall Handicapping Contest” to be conducted at all branches between September 20 and October 12, 2007. The final will be conducted at the Race Palace on Saturday, October 20, 2007.

This contest must be conducted in accordance with the terms of the application and rules submitted and is subject to audit by the Board.

29. NASSAU REGIONAL OTB – REQUEST TO CONDUCT “EZ BET PHONE ACCOUNT & CUSTOMER APPRECIATION” PROMOTION

For entry into the minutes, on August 29, 2007, the NYS Racing and Wagering Board approved the Nassau OTB request to conduct a promotion for new telephone account customers, which includes entry into a drawing for a \$500.00 deposit and a \$100.00 deposit into new telephone accounts. Accounts must be opened between September 6 and October 27, 2007.

This promotion must be conducted in accordance with the terms submitted to the Board, and is subject to audit by the Board.

Officers and employees of Nassau OTB are ineligible to participate in the promotion.

30. NASSAU REGIONAL OTB – REQUEST TO OFFER PROMOTION AT POTTER’S PUB RESTAURANT BRANCH

For entry into the minutes, on September 5, 2007, the New York State Racing and Wagering Board approved the requested change in the Nassau OTB simulcast plan of operation providing for a coupon in the September 13, 2007 edition of the Long Island Press. That coupon may be turned in to the Potter’s Pub Restaurant from September 14 through September 17, 2007, for a free two (\$2.00) dollar wager.

There is a limit of one coupon per person and the name and address of the person must be filled out on the coupon before it is to be redeemed.

This approval is conditioned on compliance with the terms of the application submitted and the requirement that Nassau OTB submit a report on the number of vouchers presented and used for wagering. The report must be filed no later than twenty (20 days) after the final date on which the coupons may be redeemed.

31. **NASSAU REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved amendments to the simulcast plans of operation of the Nassau Regional Off-Track Betting Corporation and the Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from the Delaware County Fair, Ohio from September 16, 2007 through September 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 the Nassau and Suffolk Regional Off-Track Betting Corporations' simulcast licenses.

Further, each corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that each corporation may or will provide rebates on wagers for races at that site.

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

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved amendments to the simulcast plans of operation of the New York City, Western, Capital and Catskill Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from the Emerald Downs in Washington.

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 each off-track betting corporations simulcast license. Further, each corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that the corporation may or will provide rebates on wagers for races at that site.

33. For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved amendments to the simulcast plans of operation of the New York City Off-Track Betting Corporation, and all of the other New York State Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Bay Meadows Racing Association in California from August 22, 2007 through November 4, 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 each off-track betting corporation's simulcast license. Further, each corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that the corporation may or will provide rebates on wagers for races at that site.

34. For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved amendments to the plans of operation of the New York City, Western, Capital and Catskill Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Remington Park in Oklahoma.

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 each corporation's simulcast license. Further, each corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that the corporation may or will provide rebates on wagers for races at that site.

35. For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved amendments to the simulcast plans of operation of all six New York State off-track betting corporations authorizing the simulcast for wagering purposes of races from Fairplex Park in California from September 7, 2007 through September 24, 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 simulcast licenses of each corporation. Further, each corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that the corporation may or will provide rebates on wagers for races at that site.

36. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved amendments to the New York City Off-Track Betting Corporation simulcast plan of operation authorizing the acceptance of wagering via the internet and any other electronic media and communications devices specifically approved by the Board from:

Balmoral Park, Illinois
California Authority of Fairs (c/o Bay Meadows), California
Delaware Park, Delaware
Dover Downs, Delaware
Evangeline Downs, Louisiana
Freehold Raceway, New Jersey
Grand River Raceway, Canada
Harrah's Louisiana Downs, Louisiana
Harrington Park, Delaware
Hawthorne Racecourse, Illinois
Indiana Downs, Indiana
Maywood Park, Illinois
Northfield Park, Ohio
Pocono Downs, Pennsylvania
Pompano Park, Florida

Prairie Meadows, Iowa
Rockingham Park, New Hampshire
Suffolk Downs, Massachusetts
Wyvern N.A.R. Ltd.

Approval is subject to the previously established conditions for acceptance of these simulcasts.

This approval is effective immediately and reflects amendments to paragraph “fifth” of each respective simulcast agreement.

The Board acknowledges receipt of these amendments insofar as they may be applicable to regional off-track betting corporation on whose behalf New York City OTB is authorized to act. However, these amendments are of no force and effect as to any regional off-track betting corporation until such time as the Board has approved an Internet account wagering plan of operation for that individual regional off-track betting corporation.

37. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved amendments to the plans of operation of all New York off-track betting corporations authorizing the simulcast for wagering purposes of races from Presque Isle Downs & Casino, Pennsylvania from September 1, 2007 through September 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 each corporation’s simulcast license. Further, each corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that each corporation may or will provide rebates on wagers for races at that site.

38. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hoosier Park in Indiana from September 1, 2007 through November 24, 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 City Off-Track Betting Corporation simulcast license. Further, New York City Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that New York City Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

39. **NYRA – REQUEST FOR APPROVAL OF TWO RACING OFFICIALS – WILLIAMSON & MCMULLEN**

For entry into the minutes, pursuant to Board Rule 4005.1, on August 22, 2007, the New York State Racing and Wagering Board approved the New York Racing Association request to approve the following as racing officials: Roy Williamson is added as the starter and the new assistant starter is Michael McMullen. The Board removed Richard Brosseau from the roster of racing officials.

40. **NYRA – REQUEST FOR APPROVAL OF “BREEDERS CUP PARTY” FOR THE YEAR 2007**

For entry into the minutes, on August 31, 2007, the New York State Racing and Wagering Board approved the application of the New York Racing Association to conduct the “Breeders’ Cup Party” promotion, whereby any NYRA Rewards account holder enrolled prior to September 1, 2007 who accumulates 1,500 reward points during September 2007 would receive a choice of two (2) tickets to the 2007 Breeder’s Cup Party OR a one (1) month DRF.com online subscription package.

This promotion must be conducted in accordance with the terms specified in the application and is subject to audit by the Board.

41. **NYRA – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 21, 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 Bay Meadows Racing Association, California from August 22, 2007 through November 4, 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.

Video streaming is prohibited without the prior written approval of the Board. Internet account wagering with residents of Connecticut is prohibited.

42. For entry into the minutes, on August 21, 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 Kentucky Downs, Kentucky from September 15, 2007 through September 22, 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.

Video streaming is prohibited without the prior written approval of the Board.
Internet Account Wagering with residents of Connecticut is prohibited.

43. For entry into the minutes, on August 21, 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 Presque Isle Downs & Casino, Pennsylvania from September 1, 2007 through September 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 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.

Video streaming is prohibited without the prior written approval of the Board.
Internet Account Wagering with residents of Connecticut is prohibited.

44. For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association's simulcast plan of operation authorizing the simulcast for wagering purposes of races from Fairplex Park, California.

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.

Video streaming is prohibited with out the prior written approval of the Board.
Internet account wagering is prohibited with residents of Connecticut.

45. For entry into the minutes, on August 29, 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 Hawthorne Racecourse, Illinois from September 21, 2007 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.

Video streaming is prohibited without the prior written approval of the Board.
Internet account wagering with Connecticut residents is prohibited.

46. For entry into the minutes, on August 31, 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 Hoosier Park, Indiana from September 1, 2007 through November 24, 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.

Video streaming is prohibited without the prior written approval of the Board.

47. For entry into the minutes, on September 12, 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 Zia Park, New Mexico from September 22, 2007 through December 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 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.

Video streaming is prohibited without the prior written approval of the Board.
Internet account wagering with residents of Connecticut is prohibited.

48. **NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to the Los Angeles County Fair (Fairplex Park with thirty eight [38] secondary sites), California from September 7, 2007 through September 24, 2007.

Approval is limited to the guest and secondary or associated 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 New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
 - b. The simulcast receiving sites and any secondary or associated 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 or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated 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 The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.
 - d. No receiving or secondary or associated sites may rebate on The New York Racing Association 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 or associated sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
 - g. Video Streaming is prohibited without the prior written approval of the Board.
49. For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes through December 31, 2007 to Favorites at Woodbridge as part of the authorization to simulcast to the NJSEA.

Approval is limited to the secondary site specified above 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 New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated 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 The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.
 - d. No receiving or secondary or associated sites may rebate on The New York Racing Association 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 or associated sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
 - g. Video streaming is prohibited without the prior written approval of the Board.
50. For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved the New York Racing Association's request to simulcast its thoroughbred racing programs to Stevenson & Associates through December 30, 2007.

This approval is limited to the five (5) specific sites listed as of August 17, 2007, 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 New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated 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 The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. No receiving or secondary or associated sites may rebate on The New York Racing Association 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 or associated sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
 - g. Video streaming is prohibited without the prior written approval of the Board.
51. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Hawthorne Racecourse (with thirty one [31] satellite sites), Illinois for the remainder of 2007.

Approval is limited to the guest and secondary or associated 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 New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated 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 The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on The New York Racing Association 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 or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video Streaming is prohibited without the prior written approval of the Board.

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

For entry into the minutes, on August 21, 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. Attractions Hippiques, Quebec, Canada through December 31, 2007
2. Kentucky Downs, Kentucky from September 15, 2007 through September 22, 2007
3. Turfway Park LLC, Kentucky 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.

53. For entry into the minutes, on August 22, 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. Bay Meadows, California through November 4, 2007
2. Fairplex Park, California from September 7, 2007 through September 24, 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.

54. For entry into the minutes, on August 22, 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 Hoosier Park, Indiana through November 24, 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.

55. For entry into the minutes, on September 12, 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. Laurel Race Course, Maryland through December 31, 2007
2. Presque Isle Downs & Casino, Pennsylvania through September 29, 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.

56. For entry into the minutes, on September 12, 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. Oak Tree Racing Assoc., California from September 26, 2007 through November 4, 2007
2. Keeneland Association Inc., Kentucky from October 5, 2007 through October 27, 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.

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

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Attractions Hippiques (with fourteen [14] secondary sites), Quebec, Canada.

Approval is limited to the guest and secondary or associated 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 Saratoga Gaming & Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated 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 or associated 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 or associated 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 or associated 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 on compliance with previously established conditions for net pool pricing with Canadian simulcast guest sites.

58. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:
 1. Raceway Park, Ohio
 2. The Red Mile, Kentucky
 3. Rockingham Park (with two [2] satellite sites), New Hampshire.

Approval is limited to the guest and secondary or associated 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 Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

- b. The simulcast receiving sites and any secondary or associated 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 or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated 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's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and 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 or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video streaming is prohibited.

59. SUFFOLK REGIONAL OTB – REQUEST TO OFFER HANDICAPPING CONTEST AT THE RACING FORUM SATURDAY, OCTOBER 13, 2007

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation request to conduct a live handicapping contest at the Racing Forum on October 13, 2007.

This approval is conditioned upon compliance with the terms of the application submitted. The Board reserves the right to audit the conduct of this contest.

60. SUFFOLK REGIONAL OTB – REQUEST TO MOVE TWO BRANCHES – DEER PARK & COMMACK

For entry into the minutes, on August 22, 2007, The New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Tracking Betting Corporation plan of operation to relocate two branches as follows: (1) Relocation of the Commack branch from 6230 Jericho Turnpike to 6243 Jericho Turnpike and (2) Relocation of the Deer Park branch from 532-24 Commack Road in Deer Park to 860 Grand Boulevard, also in Deer Park, NY.

These approvals are conditioned upon compliance with all municipal conditions set forth in the application, and the issuance of a certificate of occupancy for each location.

61. **SUFFOLK REGIONAL OTB – REQUEST TO OPEN AND CONDUCT PROMOTION AT NEW COMMACK BRANCH - 6243 JERICHO TURNPIKE, COMMACK NY**

For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation request to offer various promotions, including five hundred (500) free two-dollar vouchers to their first five hundred (500) customers, in conjunction with the grand opening of their new Commack branch located at 6243 Jericho Turnpike in Commack, New York on September 7, 2007.

Officials and employees of Suffolk OTB are not eligible to participate.

These promotions must be conducted in accordance with the terms of the application and are subject to audit by the Board.

62. **SUFFOLK REGIONAL OTB – REQUEST TO HOLD GRAND OPENING AT THE SHAMROCK – HALESITE NY**

For entry into the minutes, on August 22, 2007, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation request to conduct a promotion at “The Shamrock” on Friday, September 28, 2007. During this promotion from 4:00 p.m. until 7:00 p.m., two-dollar vouchers will be available, one per person. A total of one hundred fifty (150) two-dollar vouchers will be available.

Suffolk OTB will also offer a drawing for hats, t-shirts and various promotional items. No one under the age of 18 will be allowed to participate in this promotion. Suffolk OTB and Shamrock employees, along with vendors and their relatives are not eligible to participate.

This promotion must be conducted in accordance with the terms of the application and is subject to audit by the Board.

63. **SUFFOLK REGIONAL OTB – REQUEST TO CHANGE COMMACK GRAND OPENING TO OCTOBER 11, 2007**

For entry into the minutes, on September 12, 2007, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation request to offer various promotions previously approved by the Board on August 22, 2007, in conjunction with the grand opening of their new Commack branch located at 6243 Jericho Turnpike in Commack, NY on October 11, 2007 instead of September 7, 2007.

Officials and employees of Suffolk OTB are not eligible to participate.

These promotions must be conducted in accordance with the terms of the application and are subject to audit by the Board.

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

For entry into the minutes, on September 5, 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 Presque Isle Downs & Casino, Pennsylvania through September 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 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. For entry into the minutes, on September 12, 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 Keeneland Association Inc., Kentucky from October 5, 2007 through October 27, 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.

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

For entry into the minutes, on September 12, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Sports Creek Raceway, 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 the Tioga Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated 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 or associated 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 or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

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

For entry into the minutes, on September 5, 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 Presque Isle Downs & Casino, Pennsylvania through September 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 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.

68. For entry into the minutes, on September 12, 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 Keeneland Association Inc., Kentucky from October 5, 2007 through October 27, 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.

69. WESTERN REGIONAL OTB/BATAVIA DOWNS - REQUEST TO ALLOW WROTB TO VIDEO STREAM BATAVIA RACES ON THEIR WEBSITE

For entry into the minutes, on September 7, 2007, in accordance with Section 1003(4) of the Racing Law, the Board approved the application of the Western Regional Off-Track Betting Corporation to display the video of the Batavia Downs races on the web site www.Batavia-Downs.com after the race has finished and the race is declared official. This approval is restricted for Batavia Downs races only. No imported race signals from other pari-mutuel tracks are to be displayed on the Batavia website.

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

For entry into the minutes, on August 31, 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 Northlands Park, Alberta, Canada for the remainder of 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.

Video streaming is prohibited without the prior written approval of the Board.

71. For entry into the minutes, on September 12, 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 the Delaware County Fair, Ohio from September 16, 2007 through September 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 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.

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

For entry into the minutes, on August 21, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Prairie Meadows, Iowa.

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 or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated 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 or associated 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 simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated 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 or associated sites
- f. "Manual Merge" is prohibited without the express approval of the Board.

73. For entry into the minutes, on August 29, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Elite Turf Club, Nevada., through auspices of the Las Vegas Dissemination Company.

Approval is limited to the one site specified within 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 or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated 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 or associated 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 or associated 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 simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. No receiving or secondary or associated 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 or associated sites.
- f. "Manual Merge" is permitted only if and to the extent required by Nevada law.
- g. Video streaming is prohibited.
- h. Bet streaming/batch betting or any computer or robotic assisted wagering is not permitted for wagers on New York races.
- i. Changes in ownership greater than twenty percent (20%) must be reported to the Board within five (5) business days.

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

1. **EMERGENCY RULEMAKING - WHIP FOUL RULE - 9E NYCRR 4035.2(d)**
On September 6, 2007 the NYS Racing and Wagering Board approved the adoption of an emergency rule to amend subdivision (d) of section 4035.2 of 9E NYCRR, concerning the steward's disqualification of a horse for willful or careless interference with another horse.

D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **CAPITAL DISTRICT REGIONAL OTB – COMPLIANCE PLAN REVIEW**
The New York State Racing and Wagering Board accepted Capital District Regional Off-Track Betting Corporation's Corrective Action Plan ("CAP"), as submitted in response to the Board's June 19, 2007 written requirement.

It is a condition of this acceptance that, no later than December 16, 2007, Capital OTB must file a report prepared by an outside independent certified public accountant expressing an opinion that the policies and procedures filed with the CAP are operating effectively. The scope of the audit work performed must be acceptable to Board staff.

Although the CAP included matter relating to the VIP reward's program, Capital OTB does not have authorization to implement the VIP reward's program without further Board approval.

The Board also fined Capital OTB a total of \$5,000 for violations of its plan of operation as specified below:

“You are hereby notified that fines totaling \$5,000 are hereby imposed on the Capital District Regional Off-Track Betting Corporation for certain violations specified in the June 19, 2007 Board staff report titled Investigation into Check Cashing Practices of the Capital District Regional Off-Track Betting Corporation. The fines were levied as follows:

1. \$1,250 for violation Section 1003 of the Racing Law by operating outside its approved plan of operation, cited in Section II of the report. (Specified in findings 1-12)
2. \$1,250 for violating Section 1003 of the Racing Law by operating outside its approved plan of operation, cited in Section III of the report. (Specified in findings 13-17)
3. \$1,250 for violating Section 1003 of the Racing Law by operating outside its approved plan of operation, cited in Section IV of the report. (Specified in findings 18-20)
4. \$1,250 for violating Section 1003 of the Racing Law by operating outside its approved plan of operation, cited in Section VII of the report. (Specified in findings 24-28)

2. **CAPITAL DISTRICT REGIONAL OTB – SIMULCAST LICENSE APPLICATION FOR 2007**

The New York State Racing and Wagering Board granted the Capital District Regional Off-Track Betting Corporation’s simulcast license for 2007.

The 2007 simulcast license is 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. 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.
- b. Capital District Regional Off-Track Betting Corporation shall not rebate on wagers placed without the written consent of the host site.

2007 3. **NEW YORK CITY OTB – SIMULCAST LICENSE APPLICATION FOR**

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.

4. **NASSAU REGIONAL OTB – REQUEST TO ADD NEW FAST TRACK – PORT WASHINGTON, NY**

The New York State Racing and Wagering Board denied approval of the Nassau Regional Off-Track Betting Corporation proposal to amend their plan of operation to authorize the operation of a “Fast Track” simulcast facility at the M.C.T. Restaurants, Inc. d/b/a Finn Mac Cools located at 205 Main Street in Port Washington, N.Y. 11050 in Nassau County upon a finding that it would not serve the best interest of racing or the public interest to authorize the operation of a simulcast facility at this establishment.

5. **NASSAU REGIONAL OTB – REQUEST FOR APPROVAL OF NEW FAST TRACK – OCEANSIDE, NY**

The New York State Racing and Wagering Board approved an amendment to the Nassau Regional Off-Track Betting Corporation plan of operation authorizing the operation of a “Fast Track” simulcast facility at the PJP Tavern Corp. d/b/a J. Paul’s Terrace Café located at 239 Merrick Road, Oceanside, New York (Nassau County).

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 a “Fast Track” 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 Nassau 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.

6. **CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF ST. LAWRENCE COUNTY DIRECTOR – SMITH**

The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation's plan of operation to reflect the appointment of a new director, Donald F. Smith. Mr. Smith replaces R. Shawn Gray as the director from St. Lawrence County.

7. IN THE MATTER OF FRANK POPFINGER III

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the refusal of the license application of harness groom applicant Frank Popfinger III be upheld. The refusal was based upon violation of Board Rules 4119.11 and 4119.7(a)(3), and the September 4, 2006 conditions for licensing.

8. IN THE MATTER OF THE DISALLOWANCE OF THE CLAIM BY SCHIFFHAUER STABLES, INC. OF "MAJESTIC KARAKORUM" ON JUNE 1, 2007

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the appeal by Schiffhauer Stables from the ruling of the stewards at Finger Lakes Racetrack, which disallowed the June 1, 2007 claim of the horse "Majestic Karakorum" be rescinded and that the claim be allowed. The Board ordered that given the direct commonality of ownership and the absence of confusion about the identity of the actual claiming interest, the name "Schiffhauer Stables, Inc." was sufficiently accurate within the applicable rule (9 NYCRR 4038.5) to identify the claimant as "Schiffhauer Stables", a partnership of the same individuals and under which name the managing owner had claimed races at Finger Lakes Race Track for years.

9. IN THE MATTER OF FRANCISCO PARRILLA

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the license of thoroughbred groom Francisco Parrilla be revoked based upon a positive finding for cocaine in violation of Board Rules 4002.8, 4002.9, and 4042.5.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. INDIAN GAMING/LICENSING STATISTICS

Licensing statistics for August 1, 2007 through August 31, 2007. Also included are the certifications for Mohawk, Seneca Allegany, Seneca Niagara and Oneida.

2. GAMES OF CHANCE/BINGO REGISTRATION NUMBERS

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between August 15, 2007 – September 11, 2007.

3. GAMES OF CHANCE/BELL JAR TICKETS

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between

August 1, 2007 – August 31, 2007.

4. LICENSING/CURRENT LICENSE COUNT

The current racing licensing counts as of August 31, 2007 since January 1, 2007 are as follows: total receipts 13,073 and total licenses 9,849 for the year 2007.

5. 2007 LICENSED SUPPLIERS

List of licensed suppliers and manufacturers for the time period of August 1, 2007 through August 31, 2007.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

The meeting adjourned at 11:32 a.m.