

Disclosure and Certification with respect to State Finance Law §§139-j and 139-k

New York Gaming Facility Location Board

**Request for Applications to Develop and
Operate a Gaming Facility in New York State**

1. Has a Governmental Entity, as defined in State Finance Law §139-j(1)(a), made a determination of non-responsibility with respect to the Offerer within the previous four years where such finding was due to a violation of State Finance Law §139-j or the intentional provision of false or incomplete information with respect to previous determinations of non-responsibility?

No X

Yes ___

If yes, provide the following details:

Governmental Entity which made the finding:

Date of finding:

Basis of finding:

2. Has a Governmental Entity terminated or withheld a procurement contract with the Offerer because of violations of State Finance Law §139-j or the intentional provision of false or incomplete information with respect to previous determinations of non-responsibility?

No X

Yes ___

If yes, identify the following:

Governmental Entity which terminated the contract:

Date of contract termination or withholding:

Identify the related procurement contract:

Offerer CERTIFIES that all information provided by Offerer with respect to its compliance with State Finance Law §§139-j and 139-k is complete, true and accurate.

Name of Offerer: **Tioga Downs Racetrack, LLC**

Address: 2384 West River Road, Nichols, NY 13812

Signature of Person Submitting Form: _____

Name: Thomas Osiecki

Title: President/COO

Date: 01/18/15