



**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF MAY 29, 2008**

A meeting of the New York State Racing and Wagering Board was held on Thursday, May 29, 2008 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 11:04 a.m.

In Attendance Were:

Michael J. Hoblock, Member
John B. Simoni, Member
John Cansdale, Executive Director
Robert Feuerstein, General Counsel
Joseph Lynch, Director of Racing Operations
James Kellogg, Audits & Investigations
Gail Pronti, Secretary to the Board

Also in Attendance Were:

Daniel Toomey, NYSR&WB
Vivian Davis, NYSR&WB
John Googas, NYSR&WB
Gary Greenberg, Vernon Downs

OPEN COMMENT PERIOD:

Comments began: 11:00 a.m.

Gary Greenberg of Vernon Downs expressed his displeasure with the Board's decision at last month's Board Meeting, which imposed a fine of \$20,000 based on Vernon Downs' cancellation of racing on four days in 2007. He stated that Mr. Jeffrey Gural had done a lot for horse racing at Vernon Downs and asked that the Board reconsider the amount of the fine.

Comments ended: 11:04 a.m.

- A.** The Board approved the minutes of the Board meeting held on April 28, 2008.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. EXTENSION FOR JOCKEY APPRENTICE KYLE J. BRANCH

For entry into the minutes, on April 10, 2008, the NYS Racing and Wagering Board approved the extension of the weight allowance for Kyle A. Branch for an additional three hundred forty-one (341) days based on the days that Mr. Branch lost due to three separate race-related injuries incurred on January 15, 2007, June 9, 2007 and January 9, 2008.

The date of the expiration of his ability to claim the five-pound apprentice allowance in all overnight races is October 9, 2008 based on Board Rule 4032.1(d). Therefore, Kyle Branch has an extension through October 9, 2008 provided he does not ride his fortieth (40th) winner by that date. If, however, he has accumulated forty (40) winners by September 14, 2008, his apprenticeship will end on September 14, 2008.

2. BUFFALO RACEWAY – PROMOTIONS – FIFTY RANDOM PICK SEVEN WAGERS

For entry into the minutes, on April 17, 2008, the NYS Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to distribute fifty (50) free Pick Seven wagers on May 3, 2008 at Buffalo Raceway based on a random drawing for which there is no charge.

3. BUFFALO RACEWAY – REQUEST FOR PICK FOUR WAGER ON FRIDAY, MAY 9, 2008

For entry into the minutes, on May 6, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to begin a Pick Four wager with the card scheduled for Friday, May 9, 2008 at Buffalo Raceway.

4. **BUFFALO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on April 24, 2008, 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 Vernon Downs, New York through December 31, 2008.

5. For entry into the minutes, on May 13, 2008, 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 Tioga Downs, New York through September 21, 2008.

6. **CAPITAL DISTRICT REGIONAL OTB – MAY 2008 FAN PROMOTIONS**

For entry into the minutes, on April 24, 2008, the NYS Racing and Wagering Board approved the application of the Capital Regional Off-Track Betting Corporation to amend its plan of operation authorizing the conduct of the May 2008 promotions as requested in the application dated April 16, 2008 except as set forth below.

Approval was **not** granted for the conduct of the Million Dollar Pick-6 Blowout on Hollywood Park to be held on May 26, 2008.

7. **CAPITAL DISTRICT REGIONAL OTB – REPLACE CHITTENANGO PLAZA BRANCH WITH TEN PIN RESTAURANT E-Z BET**

For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved the Capital District Regional Off-Track Betting Corporation request to amend its plan of operation to reflect the closure of the branch located in the Chittenango Plaza in Chittenango, New York.

8. **CAPITAL DISTRICT REGIONAL OTB – ADDITIONAL MAY 2008 FAN PROMOTION**

For entry into the minutes, on May 13, 2008, the New York State Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to offer Albany Teletheater customers a choice of a free Daily Racing Form OR a free five-dollar (\$5.00) betting voucher good for Saturday, May 17, 2008 (Preakness Stakes Day) only.

Approval was conditioned on the limitation of one promotional item (Daily Racing Form or \$5.00 voucher) per individual customer. Approval was further conditioned on the requirement that Capital District Off-Track Betting Corporation produce, if requested, a report on the number of promotional betting vouchers issued at individual machines.

9. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, 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 Presque Isle Downs, Pennsylvania through September 27, 2008.
10. For entry into the minutes, on April 10, 2008, 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 Fairmount Park, Illinois through September 27, 2008.
11. For entry into the minutes, on April 24, 2008, 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:
 1. Delaware Racing Association, Delaware through November 11, 2008
 2. Will Rogers Downs, LLC, Oklahoma through May 27, 2008.
12. For entry into the minutes, on April 30, 2008, 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 Mohawk Raceway and Woodbine Racetrack, Ontario, Canada for the remainder of 2008.
13. For entry into the minutes, on May 13, 2008, 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 Finger Lakes Racing Association, Inc., New York during the year 2008.
14. **CATSKILL REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Catskill Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation, and the Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Hazel Park, Michigan during 2008.
15. **FINGER LAKES RACETRACK – APRIL 2008 PROMOTION/EVENT**
For entry into the minutes, on April 10, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct a promotion whereby members of the Players Extra Club will receive double points when wagering on live Finger Lakes races during 2008 and members of the Players Extra Club will receive triple points on Fridays during 2008 when wagering on live Finger Lakes races.

16. **FINGER LAKES RACETRACK – MAY 2008 PROMOTIONS**
For entry into the minutes, on April 24, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct the May promotions of Senior Days (ongoing), Glass Giveaways, Merchandise Program Promotions, Atmospheric Packages, Handicapping Seminars, Kentucky Derby Day Hat Contest, Preakness Challenge, Trifecta Match Direct Mail, Memorial Weekend Player Extras Membership Drive and the Memorial Day Sun Visor Giveaway, as set forth in the April 22, 2008 application to the Board.
17. **FINGER LAKES RACETRACK – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 22, 2008, 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 Delaware Racing Association, Delaware through November 11, 2008.
18. For entry into the minutes, on April 24, 2008, 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:
 1. Hollywood Park Racing Association, California through July 13, 2008
 2. Sterling Suffolk Racecourse, LLC, Massachusetts through November 8, 2008.
19. For entry into the minutes, on April 24, 2008, 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 Churchill Downs, Kentucky through November 29, 2008.
20. For entry into the minutes, on April 24, 2008, 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 2008.
21. For entry into the minutes, on April 30, 2008, 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 The New York Racing Association Inc., New York through July 13, 2008 only.
22. For entry into the minutes, on May 2, 2008, 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 Arlington Park, Illinois through September 21, 2008.

23. For entry into the minutes, on May 13, 2008, 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 Thistledown, Ohio through July 13, 2008.
24. For entry into the minutes, on May 13, 2008, 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 Fort Erie Race Track, Ontario, Canada for the remainder of 2008.
25. For entry into the minutes, on May 13, 2008, 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 NJSEA (Meadowlands/ Monmouth), New Jersey through June 9, 2008.
26. **FINGER LAKES RACETRACK – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to:
 1. Hinsdale Greyhound Park, New Hampshire
 2. Lien Games Racing, LLC (with six [6] secondary sites), North Dakota
 3. Youbet.com, Inc., California.
27. For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs to:
 1. Keeneland Association, Inc. (with one [1] secondary site), Kentucky through December 31, 2008
 2. Racing & Gaming Services (RGS), St Kitts, West Indies through October 31, 2008.
28. For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to:
 1. Canterbury Park, Minnesota
 2. Harrah's Chester Casino & Racetrack, Pennsylvania.
29. For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Evergreen Park, Alberta, Canada.

30. For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to:
 1. Sports Creek, Michigan
 2. US Off-Track, LLC, Oregon.
31. For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Nevada Pari-Mutuel Association (with seventy-seven [77] identified sites), Nevada.
32. For entry into the minutes, on April 17, 2008, the New York State Racing and Wagering Board supplemented the April 3, 2008 approval of the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during 2008 to Autotote Enterprises (Connecticut) by approving through May 31, 2008 only the following additional secondary sites:
 - John Martin's Manor (Maine)
 - Ho-Chunk Casino Racebook (Wisconsin)
 - Oneida Casino Racebook (Wisconsin).
33. For entry into the minutes, on April 18, 2008, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing Yonkers Raceway to conduct internet wagering on races conducted at Finger Lakes Racetrack and to video stream official race replays of Finger Lakes races. This approval is limited to the year 2008.
34. For entry into the minutes, on April 18, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Southland Park, Arkansas.
35. For entry into the minutes, on April 18, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Tampa Bay Downs (with eighteen [18] secondary sites), Florida.
36. For entry into the minutes, on April 21, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Day at The Track, California.
37. For entry into the minutes, on April 22, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Track Net Media Group, Kentucky.

38. For entry into the minutes, on April 24, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs through June 15, 2008 (without prejudice to reapplication) to Stevenson & Associates, Inc. in relation to Hipodromo Camarero & specified OTBs in Puerto Rico).
39. For entry into the minutes, on April 24, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to SPW, Inc. (with three [3] secondary sites).
40. For entry into the minutes, on April 24, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to:
 1. Presque Isle Downs Inc., Pennsylvania
 2. Scioto Downs, Ohio.
41. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the remainder of 2008 to Western Regional Off-Track Betting Corporation, New York.
42. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Western Fair Raceway, Ontario, Canada.
43. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to State Fair Park, Nebraska.
44. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Rosecroft, Maryland.
45. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Royal Turf Club only, St. Johns, Antigua. Approval was not granted for any secondary sites.
46. For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during 2008 to the additional forty-one (41) secondary sites associated with the previously approved simulcasts to Northlands Park, Alberta, Canada.

47. For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Racing Corp. of West Virginia.
48. For entry into the minutes, on May 8, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Kawartha Downs Raceway, Ontario, Canada, with one [1] secondary site.
49. For entry into the minutes, on May 13, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Northville Downs, Michigan.
50. For entry into the minutes, on May 13, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to Running Aces Harness Park, Minnesota.
51. **MONTICELLO RACEWAY – REQUEST TO AMEND JUNE/JULY 2008 RACE SCHEDULE**
For entry into the minutes, on May 13, 2008, the NYS Racing and Wagering Board approved the cancellation of the four Friday programs in June at Monticello Raceway. The Board also approved the change in the first post-time on Friday, July 4, 2008 from 5:00 p.m. to 7:30 p.m. to accommodate the annual fireworks display.
52. **MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, 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 Keeneland Association Inc., Kentucky through May 1, 2008.
53. For entry into the minutes, on April 10, 2008, 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 The New York Racing Association Inc., New York for the period April 30 through December 31, 2008. This approval is subject to the existence of lawful authority for the conduct of pari-mutuel horse racing and wagering at Aqueduct Racetrack, Belmont Park and Saratoga Racecourse for the period specified and the approval of race dates for that period.
54. For entry into the minutes, on April 22, 2008, 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 Delaware Racing Association, Delaware through November 11, 2008.

55. For entry into the minutes, on April 24, 2008, 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 Rockingham Park, New Hampshire through September 1, 2008.
56. For entry into the minutes, on April 24, 2008, 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 Hollywood Park Racing Association, California through July 13, 2008.
57. For entry into the minutes, on April 24, 2008, 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 Sterling Suffolk Racecourse, LLC, Massachusetts through November 8, 2008.
58. For entry into the minutes, on April 24, 2008, 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 Churchill Downs, Kentucky through November 29, 2008.
59. For entry into the minutes, on April 24, 2008, 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 NJSEA (Meadowlands/Monmouth), New Jersey through May 31, 2008.
60. For entry into the minutes, on May 2, 2008, 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. Arlington Park, Illinois through September 21, 2008
 2. Canterbury Park Holding Corporation, Minnesota through September 1, 2008.
61. **MONTICELLO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**
 For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt., Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to Running Aces Harness Park, Minnesota.
62. For entry into the minutes, on April 24, 2008 the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt., Inc. request to simulcast its standardbred racing programs during the remainder of 2008 to Nassau Regional Off-Track Betting Corporation, New York.

63. For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved the simulcast for wagering purposes of harness races conducted at Monticello Raceway to ODS Technologies, L.P. d/b/a TVG Network for the remainder of 2008. This approval excludes any domestic or international primary or secondary sites other than TVG Network and its direct account wagering component.
64. **NASSAU REGIONAL OTB – FARMINGDALE PROMOTION ON NORTHFIELD PARK**
For entry into the minutes, on April 17, 2008, the NYS Racing and Wagering Board approved the conduct of the requested Northfield Park promotion to be conducted at the Farmingdale branch on Friday, June 13, 2008.
65. **NASSAU REGIONAL OTB – KENTUCKY DERBY PROMOTION AT RUNYON’S ON MAY 3, 2008**
For entry into the minutes, on April 30, 2008, the NYS Racing and Wagering Board approved the request of the Nassau Regional Off-Track Betting Corporation to conduct a promotion wherein a free two dollar (\$2.00) voucher be given to anyone purchasing a lunch or a dinner from 2:00 p.m. until 5:00 p.m. on Derby Day, May 3, 2008, at the Runyon’s “Fast Track” location.
66. **NASSAU REGIONAL OTB – TRIPLE CROWN CONTEST**
For entry into the minutes, on April 30, 2008, the NYS Racing and Wagering Board approved the request of the Nassau Regional Off-track Betting Corporation to conduct a promotion with a random drawing from among all the contestants that name the correct answers to all three trivia questions about the Triple Crown by May 15, 2008.
67. **NASSAU REGIONAL OTB – FREE COUPON FOR A TWO-DOLLAR VOUCHER PROMOTION**
For entry into the minutes, on May 13, 2008, the NYS Racing and Wagering Board approved the Nassau Regional Off-Track Betting Corporation request to conduct a promotion for distribution and redemption of coupons, which may be redeemed for one (1) free \$2.00 wager/coupon on May 16, 2008 at the Pool House simulcast location in Bellmore, New York.
68. **NASSAU REGIONAL OTB TWO-DOLLAR VOUCHER PROMOTION**
For entry into the minutes, on May 13, 2008, the NYS Racing and Wagering Board approved the Nassau Regional Off-Track Betting Corporation request to distribute a total of \$150.00 in free \$2.00 wagering vouchers at the three specified Fast Track simulcast locations on June 7, 2008.
69. **NEW YORK CITY OTB – CLOSING OF TWO BRANCHES**
For entry into the minutes, on April 30, 2008, the NYS Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation plan of operation to reflect the closing of branches located at 17 John St, Manhattan on Friday, May 2, 2008 and at 333 Graham Avenue, Brooklyn on Sunday, May 4, 2008.

70. **NEW YORK CITY OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Keeneland (Spring meet), Kentucky.

71. For entry into the minutes, on April 22, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Delaware Racing Association, Delaware through November 11, 2008.

72. For entry into the minutes, on April 24, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through December 31, 2008.

73. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races during 2008 from NJSEA (Meadowlands/Monmouth), New Jersey.

74. For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Sterling Suffolk Racecourse, LLC, Massachusetts through December 31, 2008.

75. **NYRA – REQUEST FOR EMERGENCY EXTENSION OF SIMULCASTING IN 2008**

For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board acted upon the April 28, 2008 request of The New York Racing Association, Inc. to extend the approval of “all of NYRA’s relevant 2007 import and export simulcast agreements, subject to any negotiated rate or other changes for 2008 (i.e., the 2007 import and export simulcast agreements that have already been extended ...)”, and all of NYRA’s relevant 2008 export simulcast agreements and content agreements between NYRA and TVG, Youbet, and Track Net.

Based upon the above request, and in consideration of the Board’s receipt of the April 28, 2008 FOURTH AMENDMENT TO STIPULATION RELATING TO, AMONG OTHER THINGS, THE OPERATION OF THE RACETRACKS, dated December 31, 2007, and the April 28, 2008 letter of the Non-Profit Racing Association Oversight Board, and pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Article X, the Board extended its prior approvals of NYRA’s 2007 simulcast imports and exports, and the approvals of simulcasts to Youbet.com, TVG Network, TrackNet Media Group, and the related content agreements through the earlier of (i) July 13, 2008 or (ii) further action of the Board.

76. **NYRA – SUPERFECTA WAGERING ON 2008 BELMONT STAKES**
For entry into the minutes, on May 8, 2008, the NYS Racing and Wagering Board approved the New York Racing Association request to offer Superfecta wagering on the Belmont Stakes at Belmont Park on June 7, 2008 provided there are a minimum of seven (7) betting interests.
77. **NYRA – GUARANTEED WAGERING POOL FOR 2008 RACE DATES - BELMONT**
For entry into the minutes, on May 8, 2008, the NYS Racing and Wagering Board approved the New York Racing Association request to offer and provide guaranteed wagering pools on Saturday, June 7, 2008 (Belmont Stakes) as follows: (1) a \$1 million dollar guaranteed Pick 6 wagering pool and (2) a \$1 million dollar guaranteed Pick 4 wagering pool.
78. **NYRA – BELMONT STAKES WEBSITE CONTEST**
For entry into the minutes, on May 8, 2008, the New York State Racing and Wagering Board approved the New York Racing Association request to implement on NYRA’s website a Belmont Stakes contest promotion with entries accepted through 6:00 p.m. May 24, 2008.
79. **NYRA – BELMONT PARK RACETRACK SUMMER HANDICAPPING CHALLENGE**
For entry into the minutes, on May 8, 2008, the NYS Racing and Wagering Board approved the New York Racing Association request to conduct the 2008 Belmont Park Racetrack Summer Handicapping Challenge on June 21 and June 22, 2008.
80. **NYRA – REQUEST TO OFFER SHOWDOWN PROMOTION AT AQUEDUCT**
For entry into the minutes, on May 13, 2008, the NYS Racing and Wagering board approved the New York Racing Association request to conduct a SHOWDOWN handicapping contest based on the 2008 Belmont Park spring meeting.
- This approval was conditioned, among other things, upon the requirement that the contest will close on the last date actually raced and the prize will be awarded based on that earlier date in the event there is no live racing conducted after July 13, 2008.
81. **NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 30, 2008, 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 Running Aces Harness Park, Minnesota through July 13, 2008.
82. For entry into the minutes, on May 6, 2008, the New York State Racing and Wagering Board approved the request of the New York Racing Association, Inc. to supplement the January 10, 2008 approval of the simulcast of races conducted during 2008 by authorizing the live video streaming of races conducted to the previously approved TRNI/TRWN account wagering sites outside of the United States.

83. **SARATOGA GAMING AND RACEWAY – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes to Philadelphia Park (with eight [8] secondary sites), Pennsylvania during the year 2008.

84. For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes to Am West Entertainment LLC, South Dakota during the year 2008.

85. **SUFFOLK REGIONAL OTB – 2008 KENTUCKY DERBY PROMOTIONS**

For entry into the minutes, on April 10, 2008, the NYS Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation request to conduct promotions on Kentucky Derby Day as set forth in the April 8, 2008 application.

86. **TIOGA DOWNS – SECOND ANNUAL DRIVER’S COMPETITION**

For entry into the minutes, on April 28, 2008, the NYS Racing and Wagering Board approved the Tioga Downs, Inc. request to conduct the Second Annual Drivers’ Championship on Sunday, July 27, 2008, in accordance with the terms of the application submitted.

87. **TIOGA DOWNS – REQUEST FOR APPROVAL OF NATIONAL HARNESS HANDICAPPING CHAMPIONSHIP**

For entry into the minutes, on April 28, 2008, the NYS Racing and Wagering Board approved the Tioga Downs request to conduct a “National Harness Handicapping Championship Contest” on May 17, 2008.

Approval was conditioned on compliance with the terms of the application to the Board; provided, however, that if the entry fees exceed the value of the prizes to the contest winner, the value of the prizes must be increased to incorporate the amount by which the fees exceeded the scheduled prizes.

88. **TIOGA DOWNS – 2008 MARKETING PROMOTIONS**

For entry into the minutes, on April 28, 2008, the NYS Racing and Wagering Board approved the conduct by Nevada Gold-Tioga Downs, Inc. of the following promotional events during 2008:

- 2008 Piece of the Purse
- That’s My Driver 2008
- Derby Hat Contest 2008
- Ticket to Ride 2008
- Rags to Riches Contest 2008
- Change Your Luck 2008

- Handicapping Contest 2008
- 60 Second Wagering Spree 2008
- Lousy T-Shirt Contest (June) 2008
- Vivid Photo Contest 2008
- Watermelon Eating 2008
- Lousy T-Shirt Contest (August) 2008
- Miss Tioga Contest
- Halloween Costume Contest
- Horse Shoe Chef Contest.

89. **TIOGA DOWNS – PERMISSION TO RACE FOUR TEN-HORSE FIELDS ON SATURDAY, MAY 10, 2008**
 For entry into the minutes, on May 9, 2008, the New York State Racing and Wagering Board authorized the conduct of four (4) races with ten-horse fields on the May 10, 2008 racing program.
90. **TIOGA DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
 For entry into the minutes, on April 10, 2008, 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 Plainridge Racecourse, Massachusetts through November 20, 2008.
91. For entry into the minutes, on April 15, 2008, 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 Sterling Suffolk Racecourse, LLC, Massachusetts through November 8, 2008.
92. For entry into the minutes, on April 17, 2008, 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 NJSEA (Meadowlands/Monmouth), New Jersey through April 30, 2008.
93. For entry into the minutes, on April 18, 2008, 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 Old Evangeline Downs, LLC, Louisiana through September 1, 2008.
94. For entry into the minutes, on April 18, 2008, 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 Pimlico Race Course, Maryland through June 7, 2008.
95. For entry into the minutes, on April 21, 2008, 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 Running Aces Harness Park, Minnesota through July 6, 2008.

96. For entry into the minutes, on April 21, 2008, 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 Beulah Park, Ohio through May 3, 2008.
97. For entry into the minutes, on April 21, 2008, 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 Bay Meadows, California through May 11, 2008.
98. For entry into the minutes, on April 22, 2008, 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 Hollywood Park Racing Association, California through July 13, 2008.
99. For entry into the minutes, on April 22, 2008, 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 Delaware Racing Association, Delaware through November 11, 2008.
100. For entry into the minutes, on April 22, 2008, 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:
 1. Hoosier Park, Indiana through July 12, 2008
 2. Lone Star Park, Texas through July 27, 2008.
101. For entry into the minutes, on April 30, 2008, 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:
 1. Arlington Park, Illinois through September 21, 2008
 2. Churchill Downs, Kentucky through November 29, 2008.
102. **TIOGA DOWNS – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 22, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Freehold Raceway (with two [2] secondary sites), New Jersey.
103. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Attractions Hippiques (with fifteen [15] secondary sites), Quebec, Canada.

104. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Delaware Racing Association, Delaware
 2. Hazel Park, Michigan
 3. Indiana Downs (with two [2] secondary sites), Indiana
 4. Ocean Downs LLC (with one [1] secondary site), Maryland.

105. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Scioto Downs Inc., Ohio
 2. Sterling Suffolk Racecourse, L.P., (with two [2] secondary sites, OTB Facilitators, LLC and Raynham Greyhound Park), Massachusetts
 3. Stevenson & Associates Inc. (limited to the single site, RGS, Inc., St. Kitts),
 4. U.S. Off -Track, LLC, Oregon.

106. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Capital District Regional OTB, New York
 2. Saratoga Gaming & Raceway, New York.

107. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Vernon Downs, New York.

108. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Harrington Raceway, Delaware
 2. Hawthorne Race Course, Illinois.

109. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Buffalo Trotting Association, New York.

110. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Colonial Downs (with ten [10] secondary sites), Virginia
 2. Hinsdale Greyhound Park, New Hampshire.

111. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to The Red Mile, Kentucky.

112. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Harrah's Chester Casino & Racetrack, Pennsylvania
 2. Wyoming OTB (with four [4] sites), Wyoming.

113. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Western Regional OTB, New York
 2. Batavia Downs, New York.

114. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Monticello Raceway Mgmt, Inc., New York
 2. Yonkers Raceway, New York.

115. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Penn National Gaming (with four [4] secondary sites), Pennsylvania
 2. Plainridge Racecourse, Massachusetts
 3. Youbet.com, Oregon.

116. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:

1. Lewiston Raceways Inc. (with four [4] secondary sites), Maine
 2. Lien Games (with six [6] secondary sites), North Dakota
 3. Running Aces Harness Park, Minnesota
 4. The Racing Channel, (with two [2] sites only – racingchannel.com and oneclickbetting.com), Oregon.
117. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
1. Day at The Track, Idaho
 2. Pompano Park Racing (with twenty one [21] secondary sites), Florida.
118. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
1. Betpad LLC, Oregon
 2. Philadelphia Park (with eight [8] secondary sites), Pennsylvania
 3. Premier Turf Club, LLC, North Dakota
 4. Rockingham Park (with two [2] secondary sites), New Hampshire.
119. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to Track Net Media Group, Kentucky.
- Approval is limited to the guest and secondary sites specified within the simulcast agreement, **except** Hipodromoenlinea.com and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth.
120. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Catskill Regional Off-Track Betting Corporation, New York.
121. For entry into the minutes, on April 28, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
1. NJSEA (with one [1] secondary site), New Jersey
 2. The Racing Network International (with eight [8] secondary sites), Pennsylvania
 3. Mohegan Sun @ Pocono Downs (with four [4] secondary sites), Pennsylvania
 4. Rosecroft Raceway, Maryland.

Approval was **not** granted for German ToteGmbH; Sci Games Racing BV (Holland); Gunther Gudert, Managing Director pferdewetten.de GmbH and Done Brothers Limited d/b/a Betfred.

122. For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to New York City Off-Track Betting Corporation, New York
123. **VERNON DOWNS – REQUEST FOR APPROVAL OF NATIONAL HARNESS HANDICAPPING CHAMPIONSHIP**
For entry into the minutes, on April 24, 2008, the NYS Racing and Wagering Board approved the Vernon Downs request to conduct a “National Harness Handicapping Championship Contest” on May 17, 2008.
- Approval was conditioned on compliance with the terms of the application to the Board; provided, however, that if the entry fees exceed the value of the prizes to the contest winner, the value of the prizes must be increased to incorporate the amount by which the fees exceeded the scheduled prizes.
124. **VERNON DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, 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 Plainridge Racecourse, Massachusetts through November 20, 2008.
125. For entry into the minutes, on April 15, 2008, 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 Sterling Suffolk Racecourse, LLC, Massachusetts through November 8, 2008.
126. For entry into the minutes, on April 18, 2008, 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 Old Evangeline Downs, LLC, Louisiana through September 1, 2008.
127. For entry into the minutes, on April 18, 2008, 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 Pimlico Race Course, Maryland through June 7, 2008.
128. For entry into the minutes, on April 21, 2008, 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 Bay Meadows, California through May 11, 2008.
129. For entry into the minutes, on April 21, 2008, 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 Beulah Park, Ohio through May 3, 2008.

130. For entry into the minutes, on April 22, 2008, 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 Delaware Racing Association, Delaware through November 11, 2008.
131. For entry into the minutes, on April 22, 2008, 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 Hollywood Park Racing Association, California through July 13, 2008.
132. For entry into the minutes, on April 22, 2008, 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 Running Aces Harness Park, Minnesota through July 6, 2008.
133. For entry into the minutes, on April 22, 2008, 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:
 1. Hoosier Park, Indiana through July 12, 2008
 2. Lone Star Park, Texas through July 27, 2008.
134. For entry into the minutes, on April 30, 2008, 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 The New York Racing Association Inc., New York **through July 13, 2008 only**.
135. For entry into the minutes, on April 30, 2008, 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:
 1. Arlington Park, Illinois through September 21, 2008
 2. Churchill Downs, Kentucky through November 29, 2008.
136. **VERNON DOWNS – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:
 1. Harrah’s Chester Casino & Racetrack, Pennsylvania
 2. Wyoming OTB (with four [4] sites), Wyoming.
137. For entry into the minutes, on April 22, 2008, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Freehold Raceway (with two [2] secondary sites), New Jersey.

138. For entry into the minutes, on April 24, 2008, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to Track Net Media Group, Kentucky.

Approval is limited to the guest and secondary sites specified within the simulcast agreement **EXCEPT** Hipodromoenlinea.com.

139. For entry into the minutes, on April 24, 2008, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to:

1. Catskill Regional Off-Track Betting Corporation, New York
2. New York City Off-Track Betting Corporation, New York.

140. For entry into the minutes, on April 30, 2008, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Rosecroft Raceway, Maryland.

141. **WESTERN REGIONAL OTB – KENTUCKY DERBY TRIP GIVEAWAY**

For entry into the minutes, on April 10, 2008, the NYS Racing and Wagering Board approved the Western Regional OTB request to conduct a drawing on April 15, 2008 for a 2008 Kentucky Derby trip to Louisville, Kentucky for two people to attend the Kentucky Oaks on Friday, May 2 and the Kentucky Derby on Saturday, May 3, 2008.

142. **WESTERN REGIONAL OTB – BI-YEARLY MAILERS TO INCLUDE \$2.00 WAGER COUPONS**

For entry into the minutes, on April 15, 2008, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request to amend its plan of operation to conduct Spring and Fall informational mailers during 2008 that would include coupons redeemable for free racing programs and a \$2.00 voucher on any thoroughbred track on which wagering is accepted. The Board also approved the distribution of coupons at various branches.

143. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on May 2, 2008, the New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Finger Lakes Racing Association, New York through December 31, 2008.

144. **YONKERS RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, 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 Chester Downs & Marina, L.L.C., d/b/a Harrah's Chester Casino & Racetrack, Pennsylvania through December 17, 2008.
145. For entry into the minutes, on April 10, 2008, 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 Cal Expo, California through August 2, 2008.
146. For entry into the minutes, on April 11, 2008, the NYS Racing and Wagering Board approved the Yonkers Raceway request to accept internet wagering on any live races authorized to be conducted by the New York Racing Association, Inc. through December 31, 2008. The Board also authorized the display of the official replay of races conducted by the New York Racing Association, Inc. through December 31, 2008.
147. For entry into the minutes, on April 15, 2008, 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 Finger Lakes Racing Association, New York through December 31, 2008.
148. For entry into the minutes, on April 15, 2008, 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 Plainridge Racecourse, Massachusetts through November 20, 2008.
149. For entry into the minutes, on April 15, 2008, 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 Running Aces Harness Park, Minnesota through July 6, 2008.
150. For entry into the minutes, on April 15, 2008, 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 Lone Star Park, Texas through July 27, 2008.
151. For entry into the minutes, on April 15, 2008, 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 Hoosier Park, Indiana through July 12, 2008.

152. For entry into the minutes, on April 17, 2008, 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 Pimlico Race Course, Maryland through June 7, 2008.
153. For entry into the minutes, on April 22, 2008, 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 Hollywood Park Racing Association through July 13, 2008.
154. For entry into the minutes, on April 22, 2008 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:
 1. Delaware Racing Association, Delaware through November 11, 2008
 2. Old Evangeline Downs, LLC, Louisiana through September 1, 2008
 3. Prairie Meadows, Iowa through July 5, 2008.
155. For entry into the minutes, on April 24, 2008, 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 Hastings Entertainment Inc., British Columbia, Canada through December 31, 2008.
156. For entry into the minutes, on April 24, 2008, 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 Rockingham Park, New Hampshire through September 1, 2008.
157. For entry into the minutes, on April 24, 2008, 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 Churchill Downs, Kentucky through November 29, 2008.
158. For entry into the minutes, on April 30, 2008, 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 NJSEA (Meadowlands/Monmouth), New Jersey through May 31, 2008.
159. For entry into the minutes, on May 2, 2008, 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 Sterling Suffolk Racecourse, LLC, Massachusetts through November 8, 2008.
160. For entry into the minutes, on May 13, 2008, 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 Arlington Park, Illinois through September 21, 2008.

161. For entry into the minutes, on May 13, 2008, 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 NJSEA (Meadowlands/Monmouth), New Jersey through June 9, 2008.
162. **YONKERS RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes to Jackson Raceway, Michigan through December 31, 2008.
163. For entry into the minutes, on April 10, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes to Lien Games Racing, LLC (with six [6] satellite sites), North Dakota through December 31, 2008.
164. For entry into the minutes, on April 15, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes to Running Aces Harness Park, Minnesota through December 31, 2008.
165. For entry into the minutes, on May 13, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes to Sam Houston Racetrack (with one [1] secondary site), Texas through December 31, 2008.

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

1. **YONKERS RACEWAY – APPLICATION FOR APPOINTMENT OF SPECIAL POLICE OFFICERS**
For entry into the minutes, on April 16, 2008, pursuant to Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board granted the Yonkers Racing Corporation request for the appointment of seven of the eight individuals submitted as special policemen within and around the grounds of Yonkers Raceway. These special policemen may exercise the powers of peace officers as authorized by and in accordance with Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law and Section 2.20 of the Criminal Procedure Law.

The approval was conditioned upon satisfactory results of the evaluation of the Federal Criminal History reports for each individual. This approval was further conditioned upon the continuing compliance by Yonkers Raceway with any related requirements imposed by the Board, the Racing, Pari-Mutuel Wagering and Breeding Law, the Criminal Procedure Law, and any other governmental agencies with jurisdiction concerning these appointments.

The seven (7) individuals approved are:

Suzanne Keceli
Jesus Melendez
Raul Miranda
Neil Olley
Joseph O'Neill
Mohammad Sheikh
Mgidalia Vargas

Yonkers Racing Corporation must notify the Board in writing within forty-eight (48) hours after the termination of employment of any special policeman.

The Board did **not** grant the approval of Marvin E. Patterson as a peace officer.

2. **BATAVIA DOWNS/WESTERN REGIONAL OTB - APPROVAL OF SPECIAL POLICE OFFICERS**

For entry into the minutes, on April 24, 2008, pursuant to Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board granted the Batavia Downs request for the appointment of four of the five individuals submitted as special policemen within and around the grounds of Batavia Downs. These special policemen may exercise the powers of peace officers as authorized by and in accordance with Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law and Section 2.20 of the Criminal Procedure Law.

The approval was conditioned upon satisfactory results of the evaluation of the Federal Criminal History reports for each individual. This approval was further conditioned upon the continuing compliance by Batavia Downs with any related requirements imposed by the Board, the Racing, Pari-Mutuel Wagering and Breeding Law, the Criminal Procedure Law, and any other governmental agencies with jurisdiction concerning these appointments.

The four (4) individuals approved are:

James J. DiSalvo
William E. Hanes
Frank J. Mack
Timothy J. McGinnis.

Batavia Downs Corporation must notify the Board in writing within forty-eight (48) hours after the termination of employment of any special policeman.

3. **SARATOGA GAMING AND RACEWAY – INSTALLATION OF NEW TOTE BOARD IN THE INFIELD**

For entry into the minutes, on April 25, 2008, the New York State Racing and Wagering Board approved the request by Saratoga Gaming and Raceway for the installation of a new infield tote board pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law.

The construction approved is described in the request letter submitted by Saratoga Gaming and Raceway and the New York State Office of General Services construction permit dated April 23, 2008.

4. **FINGER LAKES RACETRACK – EXTENSION OF AUDIT REPORT ON CASH CARD SYSTEM**

For entry into the minutes, on April 29, 2008, the New York State Racing and Wagering Board approved the request from Finger Lakes Racing Association Inc. for permission to postpone the independent auditor’s report regarding the effectiveness of the internal controls in place over the cash card system until December 31, 2008. The completion of this report remains a condition of the Board’s August 28, 2007 approval of the cash card system.

5. **YONKERS RACEWAY – APPROVAL OF YONKERS PEACE OFFICERS**

For entry into the minutes, on April 30, 2008, pursuant to Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board granted the Yonkers Racing Corporation request for the appointment of eleven individuals submitted as special policemen within and around the grounds of Yonkers Raceway. These special policemen may exercise the powers of peace officers as authorized by and in accordance with Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law and Section 2.20 of the Criminal Procedure Law.

The approval was conditioned upon satisfactory results of the evaluation of the Federal Criminal History reports for each individual. This approval was further conditioned upon the continuing compliance by Yonkers Raceway with any related requirements imposed by the Board, the Racing, Pari-Mutuel Wagering and Breeding Law, the Criminal Procedure Law, and any other governmental agencies with jurisdiction concerning these appointments.

The eleven (11) individuals approved are:

Brent Andreoli
Christopher Catania
John Cognatello
Brian Force
John Giammareno
Heriberto Martinez
Joe Nannariello
John Oleskovic
Nicholas Soukas
Gregory Toone
Leonora Torres.

Yonkers Racing Corporation must notify the Board in writing within forty-eight (48) hours after the termination of employment of any special policeman.

6. **EMERGENCY RULEMAKING FOR INTERNET AND ACCOUNT WAGERING**

On May 2, 2008, the New York State Racing and Wagering Board approved the adoption of a new Subchapter C, Part 5300 of Title 9 of New York Codes Rules and Regulations to establish rules and regulations for internet and telephone account wagering systems used in connection with licensed pari-mutuel wagering activities in the State of New York.

These emergency rules will be in effect upon filing at the Department of State from May 5 through May 14, 2008.

7. **SARATOGA GAMING AND RACEWAY – REQUEST FOR APPROVAL OF ALTERATIONS AT THE LODGE RESTAURANT**

Pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law, on May 8, 2008, the New York State Racing and Wagering Board approved the request by Saratoga Gaming and Raceway to make additions and alterations to the Lodge Restaurant.

The construction approved is described in the floor plan submitted by Saratoga Gaming and Raceway and the Building Permit issued by the City of Saratoga Springs Building Department dated April 30, 2008.

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

1. **NEW YORK CITY OTB – SIMULCAST LICENSE APPLICATION FOR 2008**

The New York State Racing and Wagering Board deferred action on New York City Off-Track Betting Corporation's 2008 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, submission to the Board of fire inspection reports on an ongoing basis and the filing with the Board no later than October 31, 2008 of an SAS-70 Type II audit for the current licensing period on the totalizator operations utilized and located at the NYC OTB facilities.

2. **NASSAU REGIONAL OTB – AMENDMENT TO INTERNET AND ACCOUNT WAGERING PLAN**

The New York State Racing and Wagering Board approved the request by Nassau Regional Off-Track Betting Corporation to amend its internet account wagering plan of operation to include the ability of account holders to view official race replays of races over the Internet on the NROTb web site as described in correspondence dated April 17, 2008 and conditioned upon the following:

1. That official race replays can be displayed for those races whose host tracks have authorized such activity and have been approved by the Board and,
2. That replays can be displayed only after the race has been declared official.

The Board noted that The New York Racing Association has provided consent to Nassau Regional Off-Track Betting Corporation to offer video streaming of the official replay of races conducted by that entity.

3. **NYS DEPARTMENT OF TAXATION & FINANCE - CERTIFICATION FOR YEAR 2008 RACING DATES**

The New York State Racing and Wagering Board authorized certification pursuant to Section 318 (5)(b)(i) of the Racing, Pari-Mutuel Wagering and Breeding Law that Monticello Raceway and Yonkers Raceway have been assigned for year 2008 at least 90% of programs/races conducted during 1985 or 1986, whichever year is less.

The Board found for the year 2008 that it would have been uneconomical or impractical for Vernon Downs to be assigned the prescribed number of racing dates, pursuant to Section 318(5)(b)(i). Such finding entitles this harness racetrack to be classified as if it did comply with such requirements.

Accordingly, the Board authorize a certification that Monticello Raceway, Yonkers Raceway and Vernon Downs have complied with Section 318(5)(b)(i) of the Racing, Pari-Mutuel Wagering and Breeding Law for the purpose of establishing the 2008 pari-mutuel tax rate.

4. **SUFFOLK REGIONAL OTB – QWIK BET – THE JON THOMAS INNE (SEAVILLE) – BRIGHTWATERS, NY**

The New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation plan of operation to authorize the opening of a Qwik Bet at the Seaville Inn d/b/a The Jon Thomas Inne located at 91 Howells Road in Brightwaters, New York (Suffolk County). This approval is effective immediately.

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.

This approval is also conditioned upon the requirement that Suffolk Regional Off-Track Betting Corporation execute the Qwik Bet Facility Authorization Agreement for Automatic Payment or Deposits and file a fully executed copy with the Board no later than five days after execution.

The Board's approval to operate a Qwik Bet 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 Suffolk 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.

5. **SARATOGA GAMING & RACEWAY – AMENDMENT TO CERTIFICATE OF INCORPORATION**

The New York State Racing and Wagering Board approved an amendment to the Certificate of Incorporation for Saratoga Harness Racing, Inc. to change the amount and description of the Company’s capital stock as follows:

To increase the number of Class A voting shares from 100 to 8,400 and to increase the number of Class B non-voting shares from 800 to 67,200.

6. **PROPOSED RULEMAKING – AUDIBLE ALERT - RULE 5823.2**

The New York State Racing and Wagering Board approved the proposal of amendments to Rule 5823.2, which governs electronic bingo aids. The proposed changes would authorize (1) the emission of sounds to notify the user that a winning bongo pattern has been obtained on one or more cards or (2) any sound or audible alert authorized in writing by the Board or its designee. The Board also approved the proposal to change the name of Rule 5823.2 from “Board approval” to “Electronic Bingo Aids.”

7. **IN THE MATTER OF CARLOS V. DOMINGUEZ**

The New York State Racing and Wagering Board adopted Hearing Officer Russell H. Baller, Jr.’s findings and conclusions except as to the penalty to be imposed. The Board imposed a license suspension of thirty (30) days and affirmed the decision of the State Steward, who suspended Mr. Dominguez’ license for causing interference during the stretch of the fifth race on September 14, 2007 at Finger Lakes Racetrack.

8. **IN THE MATTER OF ORLANDO ABURTO**

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.’s recommendation that the license of thoroughbred exercise rider Orlando Aburto be revoked based upon a finding that Mr. Aburto failed to comply with the terms of the “Voluntary Agreement” in relation to the surrender of this license following a human drug positive for cocaine and that his experience, character and general fitness are such that his participation in racing is inconsistent with the public interest, convenience and necessity, or with the best interests of racing generally.

9. **IN THE MATTER OF JENNIFER L. LOWREY**

The New York State Racing and Wagering Board considered the report of Hearing Officer Russell H. Baller, Jr. in relation to a partial motion for summary judgment and determined that judges in harness racing have the authority to require licensees to appear personally to answer for their activities at the race track, the obligation of the licensee to meet with a judge cannot be met unless the licensee appears in person, and

the licensee cannot satisfy her obligation to obey such directive by sending an attorney in her place. The Board found that Dr. Lowrey failed to comply with a directive of the Board, in violation of 9 NYCRR §§ 4119.7(a)(5), 4105.6(b, e, f), and 4105.8(f), in that she failed and refused to attend, as directed by the Presiding Judge at Yonkers Raceway, a meeting he scheduled to discuss on May 19, 2007 her alleged involvement in and concealment of untimely race-day furosemide administrations, and ordered that respondent should be accorded an opportunity to address the issue of penalty. The Board remanded the matter to the Hearing Officer for further proceedings in regard to penalty and into her alleged underlying misconduct.

10. **PROPOSED RULEMAKING – ANABOLIC STEROIDS**

The New York State Racing and Wagering Board approved the proposal of amendments to Parts 4043 and 4120 of the Board’s rules to address the use of anabolic steroids in racehorses. The Board approved as proposals amendments to existing rules 4043.2(e)(9) and 4120.2(e)(9) and the addition of new rules 4043.15 and 4120.12. These proposals would permit the use of one of four specified anabolic steroids and prohibit the administration of all others.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. **FINGER LAKES RACETRACK – 2008 ANNUAL INSPECTION**

Pursuant to Section 237(2)(b) of the Racing, Pari-Mutuel Wagering and Breeding Law, the annual inspection of Finger Lakes Racetrack was conducted on March 6, 2008. A summary of that inspection was received by the Board.

2. **NYRA – 2008 FIRST QUARTER RESULTS “NYRA REWARDS”**

The Board required NYRA to submit quarterly reports; the first quarterly report of 2008 was submitted.

3. **CAPITAL DISTRICT REGIONAL OTB – 2008 FIRST QUARTER RESULTS “PLAYER REWARDS”**

The Board required Capital OTB to submit quarterly reports; the first quarterly report of 2008 was submitted.

4. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for April 1, 2008 through April 20, 2008. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.

5. **GAMES OF CHANCE/BELL JAR TICKETS**

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between April 1, 2008 – April 30, 2008.

6. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between April 8, 2008 – May 9, 2008.
7. **LICENSING/CURRENT LICENSE COUNT**
The racing licensing counts as of April 30, 2008 since January 1, 2008 were as follows: total receipts 5,071 and total licenses 3,398 for the year 2008.
8. **2008 LICENSED SUPPLIERS**
List of licensed suppliers – manufacturers’ and distributors’ licenses issued for the time period of April 1, 2008 through April 30, 2008.
9. **BATAVIA DOWNS – INFORMATION RELATIVE TO PEACE OFFICERS**
The conditions have been fulfilled for James DiSalvo and Timothy McGinnis III, who were previously approved by the Board as special policemen at Batavia Downs, and licenses have been issued.
10. **YONKERS RACEWAY – INFORMATION RELATIVE TO PEACE OFFICERS**
The conditions have been fulfilled on the following applicants who were previously approved by the Board as special policemen at Yonkers Raceway, and licenses have been issued:

Suzanne Keceli
Jesus Melendez
Raul Miranda
Neil Olley
Joseph O'Neill
Mohammad Sheikh
Migdalia Vargas.
11. **BATAVIA DOWNS – 2008 ANNUAL CIF INSPECTION**
Pursuant to Section 319 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law, the annual inspection of Batavia Downs was held on April 11, 2008.
12. **VERNON DOWNS – 2008 ANNUAL CIF INSPECTION**
Pursuant to Section 319 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law, the annual inspection of Vernon Downs was held on April 11, 2008.
13. **YONKERS RACEWAY – 2008 ANNUAL CIF INSPECTION**
Pursuant to Section 319 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law, the annual inspection of Yonkers Raceway was held on April 16, 2008.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

Meeting adjourned at 11:39 a.m.