

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF FEBRUARY 26, 2008**

A meeting of the New York State Racing and Wagering Board was held on Tuesday, February 26, 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:

Daniel D. Hogan, Chairman
Michael J. Hoblock, Jr., Member
John Cansdale, Executive Director
Robert Feuerstein, General Counsel
Joseph Lynch, Director of Racing Operations
Thomas Casaregola, Director of 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
William Sekellick, NYSR&WB
Pasquale Viscusi, NYRA
John Ryan, NYRA
Thomas DiDesideo, NYRA
Tom Spring, Capital District OTB

OPEN COMMENT PERIOD:

- A. The Board approved the minutes of the Board meetings held on January 23, 2008 and February 14, 2008.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR.

1. BUFFALO RACEWAY – REQUEST TO OFFER \$2 PICK SEVEN WAGER ON FEBRUARY 15, 2008

For entry into the minutes, on January 29, 2008, the New York State Racing and Wagering board approved the Buffalo Trotting Association, Inc. request to conduct a Pick Seven wager beginning with the opening night's card on February 15, 2008. Buffalo Raceway is also authorized to send out a direct mail coupon that can be converted to a voucher valid on February 15 only that can be redeemed for this new Pick Seven wager.

This approval is conditioned on:

1. The prominent posting by Buffalo Raceway of the applicable rules for this wager and,
2. The prompt submission to the NYS Department of Taxation and Finance of the corresponding reports provided for the tests of the wager from the first race card that offers Pick 7 wagering. If there are no Pick 7 winners on that day, the reports must be provided for the first day when there is a 7 out of 7 winner.

2. BUFFALO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008

For entry into the minutes, on January 30, 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 Aqueduct, New York through the earlier of (i) February 13, 2008 or (ii) until further action by the Board.

3. For entry into the minutes, on January 30, 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:

1. Tampa Bay Downs, Florida through May 4, 2008
2. Turfway Park LLC, Kentucky through April 3, 2008.

4. For entry into the minutes, on January 30, 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 Oaklawn Park, Arkansas through April 12, 2008.

5. For entry into the minutes, on January 30, 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 Yonkers Raceway, New York through December 31, 2008.

6. **BUFFALO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 31, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to:

1. Hinsdale Greyhound Park, New Hampshire
2. Philadelphia Park (with eight [8] secondary sites), Pennsylvania.

7. For entry into the minutes, on January 31, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to:

1. Beulah Park, Ohio
2. Lebanon Raceway, Ohio
3. Lien Games Racing LLC (with six [6] secondary sites), North Dakota.

The Board approved the simulcast to RGS, St. Kitts, West Indies only through March 15, 2008 without prejudice to reapplication.

8. For entry into the minutes, on January 31, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to:

1. Saratoga Raceway, New York
2. Yonkers Raceway, New York.

9. For entry into the minutes, on January 31, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to:

1. NJSEA (Meadowlands/Monmouth) (with one [1] secondary site), New Jersey
2. Lewiston Raceways (with four [4] secondary sites), Maine
3. Scioto Downs/Presque Isle Downs/Running Aces, Ohio/Pennsylvania/Minnesota.

10. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to Youbet. com, Inc., Oregon.

11. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved the simulcast for wagering purposes of standardbred races conducted at Buffalo Trotting Association, Inc. to TrackNet Media Group, LLC, through July 26, 2008 subject to the exceptions and conditions, including that approval is limited to the guest and secondary sites specified **except** Betharness.com, Hipodromoenlinea.com, Myracebet.com, and Watchandwager.com Industries Ltd. Further, **no** simulcast or transmission is authorized for purposes of display on **HRTV** or any equivalent mode of broadcast, cable distribution or satellite distribution.
12. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to:
 1. Freehold Raceway, New Jersey (with two [2] satellite sites)
 2. Rockingham Park, New Hampshire (with one [1] satellite site).
13. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to The Racing Network International, Oregon.

Approval is limited to the following specific sites: TRNI/TRWN, Blue Square, Bet Direct, Ladbrokes E-Gaming, William Hill, Skybet, Tote Credit Limited d/b/a UK Tote and Bet365 Group Limited.

Approval was granted for Buffalo Trotting Association's request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to The Racing Channel and www.racingchannel.com and www.oneclickbetting.com. Approval was not granted for www.australianracing.com.

14. For entry into the minutes, on February 12, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to Ocean Downs LLC, Maryland, with one (1) satellite site.
15. For entry into the minutes, on February 12, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to:
 1. Capital District Off-Track Betting Corporation, New York
 2. Catskill Regional Off-Track Betting Corporation, New York
 3. Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation, New York
 4. Western Regional Off-Track Betting Corporation, New York.

16. For entry into the minutes, on February 12, 2008, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to Premier Turf Club (with one [1] secondary site), North Dakota.
17. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on February 6, 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 Rosecroft Raceway, Maryland through December 31, 2008.
18. For entry into the minutes, on February 6, 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 Yonkers Raceway, New York through December 31, 2008.
19. **FINGER LAKES RACETRACK – REQUEST TO AMEND \$2,500 HANDICAPPING CONTEST**
For entry into the minutes, on January 30, 2008, the NYS Racing and Wagering Board approved the amended Finger Lakes Racetrack request to conduct the Finger Lakes \$2,500 Simulcast Handicapping Challenge on the Saturdays of February 9, March 8 and March 29 with the final on Saturday, April 12, 2008. This approval supersedes the Board’s January 25, 2008 approval of this contest.
20. **FINGER LAKES RACETRACK – REQUEST TO OFFER PLAYERS EXTRA CLUB INCENTIVE PROGRAM**
For entry into the minutes, on January 30, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct the “Player Extras Club Incentive Program” throughout the year 2008.
21. **FINGER LAKES RACETRACK – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on February 1, 2008, the New York State Racing and Wagering Board authorized the Finger Lakes Racing Association, Inc. to participate in the three Kentucky Oaks and the Kentucky Derby future pools on the year 2008 Kentucky Oaks to be run on May 2, and the Kentucky Derby to be to be run on May 3, 2008, at Churchill Downs, Kentucky.
22. For entry into the minutes, on February 12, 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 Track Net Media Group, consisting of The Dubai World Cup at Nad Al Sheba Racecourse to be raced on March 29, 2008.

23. **FINGER LAKES RACETRACK – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 29, 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:

1. Capital District Off-Track Betting Corporation, New York.
2. Suffolk Regional Off-Track Betting Corporation, New York
3. Nassau Regional Off-Track Betting Corporation, New York
4. Catskill Regional Off-Track Betting Corporation, New York
5. Tioga Downs, New York.

24. For entry into the minutes, on January 29, 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:

1. Vernon Downs, New York.
2. Batavia Downs, New York
3. Monticello Raceway Mgmt, Inc., New York
4. Saratoga Gaming & Raceway, New York
5. New York City Off-Track Betting Corporation, New York.

25. For entry into the minutes, on January 29, 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 Buffalo Trotting Association, Inc., New York.

26. **MONTICELLO RACEWAY – REQUEST TO OFFER VIDEO STREAMING REPLAYS ON WEBSITE**

For entry into the minutes, on February 12, 2008, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 1003(4), the New York State Racing and Wagering Board approved the application of the Monticello Raceway Management, Inc. to display the video of its own races on the Monticello Raceway web site after the race has finished and the race has been declared official.

27. **MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 29, 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. Northfield Park, Ohio through June 30, 2008
2. NJSEA (Meadowlands/Monmouth) through February 28, 2008
3. Sam Houston Race Park, LTD., Texas through April 5, 2008.

28. **MONTICELLO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 29, 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 Lien Games Racing, LLC, North Dakota.

29. For entry into the minutes, on January 29, 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 remainder of 2008 to Youbet.com.

30. For entry into the minutes, on January 29, 2008, the New York State Racing and Wagering Board approved the simulcast for wagering purposes of standardbred races conducted at Monticello Raceway to TrackNet Media Group, LLC through December 31, 2008.

31. For entry into the minutes, on January 31, 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 to Racing & Gaming Services, St. Kitts, West Indies through March 15, 2008 without prejudice to reapplication.

32. For entry into the minutes, on February 1, 2008, the New York State Racing and Wagering Board approved the Monticello Racing Management, Inc. request to simulcast its standardbred racing programs for wagering purposes during 2008 to The Racing Channel and www.racingchannel.com and www.oneclickbetting.com.

Approval was not granted for www.australianracing.com.

33. For entry into the minutes, on February 5, 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 during the remainder of 2008 to The Racing Network International, Oregon.

Approval is limited to the following specific sites: TRNI/TRWN, Blue Square, Bet Direct, Ladbrokes E-Gaming, William Hill, Skybet, Tote Credit Limited d/b/a UK Tote and Bet365 Group Limited.

34. For entry into the minutes, on February 5, 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 through December 31, 2008 to Day at The Track, California.

35. For entry into the minutes, on February 7, 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 during the year 2008 to the following additional sites associated with the previously approved export to Nevada Pari-Mutuel Association, Nevada:
1. Parball Corporation d/b/a Bally's Las Vegas/Paris Las Vegas
 2. Bellagio
 3. Desert Palace, Inc. d/b/a Caesars Palace
 4. New Castle Corporation d/b/a/ Excalibur Hotel and Casino
 5. Ramparts, Inc. d/b/a/ Luxor Hotel & Casino.
36. For entry into the minutes, on February 8, 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 Penn National (with six [6] secondary sites), Pennsylvania.
37. **NASSAU REGIONAL OTB – REQUEST TO OFFER SPRING FLING HANDICAPPING CONTEST**
For entry into the minutes, on January 29, 2008, the NYS Racing and Wagering Board approved an amendment to the Nassau OTB simulcast plan of operation authorizing the conduct of the Nassau OTB “Spring Fling” Handicapping Contest to be held from March 22 through April 26, 2008.
38. **NASSAU REGIONAL OTB – REQUEST TO OFFER PROMOTION AT FAST TRACK – RUNYON’S**
For entry into the minutes, on January 29, 2008, the NYS Racing and Wagering Board approved an amendment to the Nassau OTB simulcast plan of operation authorizing the conduct of the Nassau OTB Runyon’s “Fast Track” promotion by which an advertisement would be placed in *The Long Island Press* with a coupon for one free two dollar wager only on February 15, 2008 at the Runyon’s “Fast Track” location.
39. **NEW YORK CITY OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on February 1, 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:
1. NJSEA (Meadowlands/Monmouth), New Jersey through February 28, 2008
 2. Charles Town Races, West Virginia through December 31, 2008.

40. **NYRA – REQUEST FOR APPROVAL OF RACING OFFICIAL - CONNOR**
For entry into the minutes, on January 28, 2008, the New York State Racing and Wagering Board approved the employment of Diane Connor as a racing official in the specific category set forth in the December 5, 2007 application of the New York Racing Association, Inc. This approval is valid only through the earlier of (i) February 13, 2008 or (ii) further action of the Board.

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

For entry into the minutes, on February 14, 2008, the New York State Racing and Wagering Board acted upon the February 13, 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 February 13, 2008 SECOND AMENDMENT TO STIPULATION RELATING TO, AMONG OTHER THINGS, THE OPERATION OF THE RACETRACKS, dated December 31, 2007, and the February 13, 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) March 7, 2008 or (ii) further action of the Board.

42. **SARATOGA GAMING AND RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on February 6, 2008, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing participation in the three Kentucky Oaks and Kentucky Derby future pools on the year 2008 Kentucky Oaks to be run on May 2, and the Kentucky Derby to be to be run on May 3, 2008, at Churchill Downs, Kentucky.

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

For entry into the minutes, on January 29, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to:

1. Betpad.com, Oregon
2. Beulah Park, Ohio
3. Blue Ribbon Downs, Oklahoma
4. Choctaw Racing Services (with nine [9] secondary sites), Oklahoma.

44. For entry into the minutes, on January 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 during the year 2008 to Suffolk Downs (with five [5] secondary sites), Massachusetts.
45. For entry into the minutes, on February 1, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Youbet.com, Inc., Oregon.
46. For entry into the minutes, on February 1, 2008, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Day at The Track, California.
47. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request for authorization to extend its in-home simulcast agreement with Capital District Off-Track Betting Corporation through February 29, 2008.
48. For entry into the minutes, on February 6, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to Plainridge Racecourse, Massachusetts.
49. For entry into the minutes, on February 12, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Monticello Raceway Mgmt, Inc., New York.
50. **SUFFOLK REGIONAL OTB – GRAND BLVD. BRANCH REMAINING DISTRIBUTION**
For entry into the minutes, on January 29, 2008, the NYS Racing and Wagering Board approved an amendment to the Suffolk OTB simulcast plan of operation authorizing the distribution at Suffolk OTB’s Grand Boulevard branch located at 860 Grand Boulevard in Deer Park, N.Y. of 200 free Quick Draw Free Play tickets on a first come-first serve basis. The coupons will be redeemable only during the month of March 2008.
51. **SUFFOLK REGIONAL OTB – COMMACK BRANCH REMAINING DISTRIBUTION**
For entry into the minutes, on January 29, 2008, the NYS Racing and Wagering Board approved an amendment to the Suffolk OTB simulcast plan of operation to conduct the distribution at Suffolk OTB’s Commack branch located at 6243 Jericho Turnpike in Commack, N.Y. of 200 free Quick Draw Free Play tickets on a first come-first serve basis. The coupons will be redeemable only during the month of March 2008.

52. **SUFFOLK REGIONAL OTB – REQUEST TO OFFER MARCH MADNESS – HOOPS & HORSES PROMOTION**

For entry into the minutes, on February 12, 2008, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation's request to conduct the "March Madness- Hoops and Horses" promotion from March 1 through March 21, 2008.

53. **TIOGA DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 29, 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. FR Park Racing, LP (Freehold Raceway)
2. Oaklawn Park, Arkansas through April 12, 2008
3. Philadelphia Park, Pennsylvania.

54. For entry into the minutes, on January 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. Buffalo Trotting Association, Inc., New York through July 26, 2008
2. Monticello Raceway Mgmt, Inc., New York
3. Saratoga Harness Racing, Inc., New York.

55. **VERNON DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 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. FR Park Racing, LP (Freehold Raceway)
2. Oaklawn Park, Arkansas through April 12, 2008
3. Philadelphia Park, Pennsylvania.

56. For entry into the minutes, on January 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. Buffalo Trotting Association, Inc., New York through July 26, 2008
2. Monticello Raceway Mgmt, Inc., New York
3. Saratoga Harness Racing, Inc., New York.

57. **YONKERS RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 29, 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 Lebanon Raceway, Ohio through May 31, 2008.

58. For entry into the minutes, on February 1, 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 Tampa Bay Downs, Florida through May 4, 2008.

59. For entry into the minutes, on February 5, 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 Saratoga Harness Racing Inc., New York during 2008.

60. For entry into the minutes, on February 7, 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 Rosecroft Raceway, Maryland during the year 2008.

61. For entry into the minutes, on February 7, 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 Bay Meadows, California through May 11, 2008.

62. For entry into the minutes, on February 7, 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 Sam Houston Race Park, Texas through April 5, 2008.

63. For entry into the minutes, on February 12, 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 Los Alamitos Quarter Horse Racing Association, California through December 21, 2008.

64. **YONKERS RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on January 29, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Beulah Park, Ohio.

65. For entry into the minutes, on January 29, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to the following additional secondary sites associated with the previously approved simulcasts to Nevada Pari-Mutuel Association, Nevada:
1. Boulder Station Hotel & Casino
 2. Red Rock Casino Resort Spa
 3. The Suncoast Hotel and Casino
 4. Wynn Las Vegas.
66. For entry into the minutes, on January 30, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Day at The Track, California.
67. For entry into the minutes, on January 31, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Las Vegas Dissemination Company, (with five [5] secondary sites), Nevada. Approval for the simulcast to the Elite Turf Club N.V. is effective only through March 15, 2008 without prejudice to reapplication.
68. For entry into the minutes, on February 1, 2008, the New York State Racing and Wagering Board approved the Yonkers Racing Corporation request to simulcast its standardbred racing programs for wagering purposes during 2008 to The Racing Channel and www.racingchannel.com and www.oneclickbetting.com.
- Approval was not granted for www.australianracing.com.
69. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to:
1. Presque Isle Downs, Pennsylvania
 2. Scioto Downs, Ohio.
70. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Vernon Downs, New York.
71. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway Inc. request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to The Racing Network International, Oregon.

Approval is limited to the following specific sites: TRNI/TRWN, Blue Square, Bet Direct, Ladbrokes E-Gaming, William Hill, Skybet, Tote Credit Limited d/b/a UK Tote and Bet365 Group Limited.

72. For entry into the minutes, on February 5, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through July 26, 2008 to Youbet. com, Inc., Oregon.
73. For entry into the minutes, on February 7, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Rosecroft Raceway, Maryland.
74. For entry into the minutes, on February 7, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to the following additional secondary sites associated with the previously approved simulcasts to Nevada Pari-Mutuel Association, Nevada:
 1. New Castle Corporation d/b/a Excalibur Hotel and Casino
 2. Circus Circus Eldorado joint Venture d/b/a Silver Legacy Resort Casino.
75. For entry into the minutes, on February 12, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Premier Turf Club (with one [1] secondary site), North Dakota.

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

1. **NASSAU REGIONAL OTB – REQUEST FOR EXTENSION FOR FILING UNIFORM QUARTERLY REPORTS**

For entry into the minutes, on January 30, 2008, the New York State Racing and Wagering Board approved a 45-day extension for filing the 2007 fourth quarter uniform quarterly report and for each of the four reporting periods in 2008. The due dates for these reports will be February 29, 2008, May 30, 2008, August 29, 2008, December 1, 2008 and March 1, 2009 respectively.
2. **CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR EXTENSION FOR FILING UNIFORM QUARTERLY REPORTS**

For entry into the minutes, on January 30, 2008, the New York State Racing and Wagering Board considered the request by the Capital District Regional Off-Track Betting Corporation (Capital OTB) for a 60-day extension to file its uniform quarterly reports for the 4th quarter of 2007 and all four quarters of 2008.

The Board granted a 45-day extension for all 2008 uniform reports. The respective due dates are now May 30, 2008 (1st quarter), August 29, 2008 (2nd quarter), December 1, 2008 (3rd quarter) and March 1, 2009 (4th quarter).

The Board denied Capital OTB's request for an extension to file its 4th quarter 2007 report.

3. **CATSKILL REGIONAL OTB – REQUEST FOR EXTENSION TO FILE UNIFORM QUARTERLY REPORTS**

For entry into the minutes, on February 7, 2008, the New York State Racing and Wagering Board considered the request by the Catskill Regional Off-Track Betting Corporation for a 60-day extension for filing the 2007 fourth quarter uniform quarterly report and a 45-day extension for each of the four reporting periods in 2008.

The Board granted a 45-day extension for all 2008 uniform reports. The respective due dates for these reports are now May 30, 2008 August 29, 2008, December 1, 2008 and March 1, 2009.

The Board denied Catskill OTB's request for an extension to file its fourth quarter 2007 report.

4. **FINGER LAKES RACETRACK – REQUEST TO OFFER VIDEO STREAMING REPLAYS ON WEBSITE**

For entry into the minutes, on February 8, 2008, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 1003(4), the New York State Racing and Wagering Board approved the application of the Finger Lakes Racing Association Inc. to display the video of its own races on the Finger Lakes website after the race has finished and the race has been declared official.

5. **WESTERN REGIONAL OTB/BATAVIA DOWNS - REQUEST FOR ADDITION OF NEW SPORTS BAR/ BUFFET (SECOND FLOOR GRANDSTAND)**

For entry into the minutes, on February 11, 2008, pursuant to Section 322 of the New York Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board approved the request by Western Regional Off-Track Betting Corporation for construction of a sports bar/buffet at the northerly end of the second floor grandstand building at Batavia Downs.

6. **BUFFALO RACEWAY – REQUEST TO OFFER VIDEO STREAMING REPLAYS ON WEBSITE**

For entry into the minutes, on February 13, 2008, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 1003(4), the New York State Racing and Wagering Board approved the application of the Buffalo Raceway to display the video of its own races on the Buffalo Raceway web site after the race has finished and the race has been declared official.

7. **WESTERN REGIONAL OTB – REQUEST FOR EXTENSION FOR FILING UNIFORM QUARTERLY REPORT**

For entry into the minutes, on February 13, 2008, the New York State Racing and Wagering Board considered the request by the Western Regional Off-Track Betting corporation for a 60-day extension for filing the 2007 and 2008 fourth quarter uniform quarterly reports and a 30-day extension for the first, second and third quarters of 2008.

The Board granted a **45-day** extension for the fourth quarter of 2007 and 2008. The Board granted 30-day extensions for the first, second and third quarters of 2008. The respective due dates for these reports are now February 29, 2008 (4th quarter of 2007), May 15, 2008 (1st quarter of 2009), August 14, 2008 (2nd quarter of 2008), November 14, 2008 (3rd quarter of 2008) and March 1, 2009 (4th quarter of 2008).

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

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

On February 26, 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 NYCOTB.

2. **MONTICELLO RACEWAY – 2008 RACE DATES**

On February 26, 2008, the New York State Racing and Wagering Board assigned to Monticello Raceway the amended race dates requested for the month of **March 2008 only**. This approval reflects the deletion of the programs originally requested for March 7, 14, 21, and 28, 2008.

The conduct of racing is subject to all applicable laws and rules, as well as all orders and directives of the Board.

3. **YONKERS RACEWAY – 2008 RACE DATES**

On February 26, 2008, the New York State Racing and Wagering Board assigned to Yonkers Raceway the race dates requested for the month of **March 2008 only**.

The conduct of racing is subject to all applicable laws and rules, as well as all orders and directives of the Board.

4. NYRA – REQUEST TO MODIFY INTERNET & ACCOUNT WAGERING PLAN OF OPERATION

On February 26, 2008, the New York State Racing and Wagering Board approved the New York Racing Association, Inc. request to amend its Internet and Account Wagering plan of operation in relation to expeditious processing of deposits in accordance with the terms of the December 10, 2007 request to the Board.

5. SUFFOLK REGIONAL OTB – REQUEST TO ADD NEW QUIK BET – EAST PATCHOGUE, NY

On February 26, 2008, 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 operation of a “Quik Bet” simulcast facility at Mariella Enterprises, Inc. d/b/a the Dunton Inn at 701 South Country Road in East Patchogue, 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 Quik Bet Facility Authorization Agreement for Automatic Payment or Deposits and file a copy with the Board no later than five days after execution.

The Board's approval to operate a Quik 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.

6. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF NEW E-Z BET – TEN PIN RESTAURANT- CHITTENANGO, NY

On February 26, 2008, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation plan of the operation to authorize operation of an E-Z Bet within the Ten Pin Restaurant located at 102 Seneca Street, Chittenango, New York (Madison 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 Capital District Regional Off-Track Betting Corporation obtain information on a bi-monthly basis (beginning March 2008) from the Ten Pin Restaurant, Inc. concerning whether or not the Ten Pin Restaurant, Inc. has been charged with any violations of State Liquor Authority rules or any other laws, rules, regulations or ordinances, and the disposition of any such charges. Capital OTB is required to report to the Board the results of its inquiries on a bi-monthly basis beginning April 7, 2008.

The Board's approval to operate a 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 Capital District 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.

7. FINGER LAKES RACETRACK – REQUEST TO WITHDRAW \$37,938.19 FROM CIF

On February 26, 2008, the New York State Racing and Wagering Board approved the January 8, 2008 Finger Lakes Racetrack request to withdraw a total of \$37,938.19 from its Capital Improvement Fund for reimbursement of the following expenditures:

<u>Advertising and Promotional Expenditures</u>	<u>Amount</u>
Print Media	\$ 31,668.80
Radio Media	5,561.83
Promotions & Giveaways	<u>707.56</u>
Total Approved	<u>\$ 37,938.19</u>

8. FINGER LAKES RACETRACK – REQUEST TO WITHDRAW \$12,470.00 FROM CIF

On February 26, 2008, the New York State Racing and Wagering Board approved the January 10, 2008 Finger Lakes Racetrack request to withdraw a total of \$12,470.00 from its Capital Improvement Fund for reimbursement of the following expenditures:

<u>Other (100%)</u>	
Vertical Rod Panic Devices (crash bars) on Doors	\$11,270.00
Labor – FLRA Maintenance Department	<u>1,200.00</u>
Total Other	<u>\$ 12,470.00</u>
Total Approved	<u>\$ 12,470.00</u>

9. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO AMEND PLAN OF OPERATION – USE OF PERSONAL WAGERING DEVICES

On February 26, 2008, the New York State Racing and Wagering Board approved the request by Capital District Regional Off-Track Betting Corporation to amend its plan of operation to include the use of personal betting terminals as specified in its November 16, 2007 letter. This approval is conditioned on the following:

1. Capital OTB must periodically audit the location and use of the terminals;
2. The terminals must be configured to allow wagers only from the specified Capital Bets account holder who was assigned the terminal.

10. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO AMEND PLAN OF OPERATION TO INCLUDE SURCHARGE FREE ACCOUNTS

On February 26, 2008, the New York State Racing and Wagering Board approved the request by Capital District Regional Off-Track Betting Corporation to amend its plan of operation to offer surcharge free accounts as specified in its November 16, 2007 letter. The approval is conditioned on Capital OTB's audit period of the program.

11. IN THE MATTER OF STEVEN F. NANNA

The New York State Racing and Wagering Board adopted the recommendation of the Hearing Officer to uphold the decision of the Presiding Judge at Saratoga Raceway to suspend the license of Steven F. Nanna and impose a \$2,000 fine for willfully failing to obey directives, in violation of Board Rules 4119.7(a)(5), 4120.5, and 4120.6, to return the purse when the horse YONKERS HALL, was disqualified from its race on November 11, 2006 due to an equine drug violation, and modified the Hearing Officer's recommended findings and conclusions by ordering that the reinstatement of any participation in racing shall resume only upon compliance with the underlying directive to return the subject purse monies to Saratoga Raceway, as well as payment of the fine, because compliance with the underlying directive is essential to the best interests of racing.

12. IN THE MATTER OF JOSEPH LEONE

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 security guard applicant Joseph Leone be upheld.

13. IN THE MATTER OF ALESSANDRO SPANO

The New York State Racing and Wagering Board deferred action on this matter pending further Board review.

14. IN THE MATTER OF WILLIAM BAILEY

The New York State Racing and Wagering Board deferred action on this matter pending further review.

15. IN THE MATTER OF BRIAN FREEDOM

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 security guard license applicant Brian Preedom be upheld.

16. IN THE MATTER OF VICTORIA CAMPBELL

The New York State Racing and Wagering Board upheld Hearing Officer Michael J. Hoblock, Jr.'s recommendation that the license of harness trainer Victoria Campbell be suspended for sixty (60) days and \$1,000 fine be imposed based upon violation of Board Rules 4120.16 and 4120.4. This disciplinary action resulted from the report of a TCO2 level in excess of the permissible level in the pre-race blood of the horse BAILEY BLAZES, trained by Ms. Campbell, which had raced in the 1st race at Buffalo Raceway on February 23, 2007.

17. IN THE MATTER OF JOHN LEGGIO

The New York State Racing and Wagering Board upheld Hearing Officer Michael J. Hoblock, Jr.'s recommendation that the license of harness owner-trainer John Leggio be revoked based upon Mr. Leggio's prior disciplinary history and the pre-race TCO2 levels of the horse RAINEY DAY SAM at Buffalo Raceway on February 24, 2007, in violation of the cited Board rules. The Board also upheld the recommendation that the violation in relation to the horse HOWBIZAR at Buffalo Raceway on February 23, 2007 be dismissed.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. INDIAN GAMING/LICENSING STATISTICS

Licensing statistics for January 1, 2008 through January 31, 2008. Also included are the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.

2. GAMES OF CHANCE/BELL JAR TICKETS

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between January 1, 2008 - January 31, 2008.

3. GAMES OF CHANCE/BINGO REGISTRATION NUMBERS

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between January 9, 2008 – January 29, 2008.

4. LICENSING/CURRENT LICENSE COUNT

The current racing licensing counts as of January 31, 2008 since January 1, 2008 are as follows: total receipts 1,113 and total licenses 667 for the year 2008.

5. 2007 LICENSED SUPPLIERS

List of licensed suppliers and manufacturers for the time period of January 1, 2008 through January 31, 2008.

6 . YONKERS RACEWAY – INFORMATION RELATIVE TO PEACE OFFICERS

The federal fingerprint history reports have been received and therefore, the conditions have been fulfilled and licenses issued to the following individuals:

Machado, Victor
Mujica, Damian
Pagan, Angelo

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

1. NEW YORK CITY OTB – REQUEST FOR APPROVAL OF NEW MEMBER MICHAEL J. MANSFIELD

On December 27, 2007, the Board approved the appointment of Michael J. Mansfield as director of the NYC OTB, subject to the satisfactory review of a federal fingerprint based criminal history report. This condition has been satisfied.

Meeting adjourned at 11:48 a.m.