



**Submit as Exhibit VIII.A.8.b. at least three (3) financial references from banks or other financial institutions attesting to each Financing Source’s creditworthiness.**

As noted in guidance issued by the Board, “Applicants may take the position that other documents specified in N.Y. Racing, Pari-Mutual Wagering and Breeding Law § 1313.1(e) satisfy the request under RFA Article VIII § A.8.b.” Montreign Operating Company, LLC, as well as Empire Resorts, Inc., EPR Properties, Credit Suisse and Kien Huat Realty III Limited, believe that the documentation and information submitted pursuant to Exhibits VIII.A.6.a. to e., VIII.A.7.a., VIII.A.8.c. and VIII.A.9.c. constitute clear and convincing evidence of the Applicant and the Financial Sources’ financial stability, as well as their creditworthiness. Accordingly, the Financial Sources take the position that the aforementioned information and documentation satisfies the request under this Exhibit VIII.A.8.b.

Notwithstanding the same, three (3) letters from banks or other financial institutions attesting to Empire’s and Kien Haut’s creditworthiness are attached as Attachments VIII.A.8.b.-1 and VIII.A.8.b.-2, respectively. Further, as Montreign Operating Company, LLC is a newly formed entity, financial references attesting to Montreign’s creditworthiness are not yet available.