

New York Gaming Facility Location Board
Response to Request for Applications to Develop and Operate a
Gaming Facility in New York State

TIOGA DOWNS RACERACK, LLC

Exhibit VIII.A.14.a.

Tioga Downs reports the following gaming-related licenses issued in any jurisdiction. Additionally, no Applicant Party of Tioga Downs has ever had a gaming-related license denied, suspended, withdrawn or revoked and there are no pending proceedings that could lead to any of these conditions.

Applicant:

1. Tioga Downs Racetrack, LLC
 - a. New York State Lottery – Lottery Gaming License – Granted, 2006
 - b. New York State Racing & Wagering Board – Live Harness Racing License – Granted, 2006*
 - c. New York State Racing & Wagering Board – Simulcast Racing License – Granted, 2006*

Manager:

Not applicable

Direct or indirect control of 5% or greater:

1. American Racing and Entertainment, LLC
 - a. New York State Lottery – Licensed as owner of Tioga Downs Racetrack, LLC and Mid-State Raceway, Inc (Vernon Downs) – Granted, 2006
 - b. New York State Racing & Wagering Board – Licensed as owner of Tioga Downs Racetrack, LLC and Mid-State Raceway, Inc (Vernon Downs) – Granted, 2006
2. Jeffrey Gural
 - a. New York State Lottery – Casino Key Employee, VLT – Granted, 2006
 - b. Pennsylvania Gaming Control Board - Principal Casino License – Granted, 2005
 - c. New Jersey Racing Commission – Various licenses – Granted, various dates

Casino Key Employees:

1. Jeffrey R. Gural – *See above*
2. Jason M. Settlemoir

TIOGA DOWNS LLC

Exhibit VIII.A.14.a. (cont.)

- a. Ohio State Racing Commission – Owner/Simulcasting/track mgmt. – Granted, 1998
 - b. Pennsylvania Racing Commission – Owner – Granted, 2010
 - c. New York State Gaming Commission – Owner/track mgmt. – Granted, Various dates
 - d. Ontario Racing Commission – Owner – Granted, 2014
 - e. Indiana Racing Commission – Owner – Granted, 2013
 - f. Kentucky Racing Commission – Owner – Granted, 2010
 - g. New Jersey Racing Commission – Owner/Track mgmt. – Granted, Various dates
3. William F. Ripley
 - a. New York State Lottery – Lottery License – Granted, 2006
 - b. New York Racing and Wagering Board – Racing License – Granted, 2006
4. Cory J. Williams
 - a. New Your State Gaming Commission – Key License – Granted, 2012
5. Scott Freeman
 - a. New York State Gaming Commission – Key License – Granted, 2010
 - b. Louisiana Casino Gaming Division – Key License – Granted, 2007
 - c. Mississippi Gaming Commission – Key License – Granted, 2005
 - d. Nevada Gaming Commission – Gaming License – Granted, 1997
 - e. Gaming Association of Iowa – Gaming License – Granted, 1996
6. Randall Snodgrass
 - a. New York State Gaming Commission – Harness Track Management – Granted, 2006
 - b. New York State Gaming Commission, Division of Gaming – Key License – Granted, 2004
 - c. New York State Gaming Commission, fka NYS Lottery – Key License – Granted, 2006
 - d. New York State Racing & Wagering Board – Class III – Granted, 2005
7. John Clark
 - a. Seminole Tribe of Florida – Key License – Granted, 2003
 - b. New York State Gaming Commission – Key License, Harness Track Management – Granted, 2009
 - c. New York State Gaming Commission – Key License, Gaming – Granted, 2009

TIOGA DOWNS LLC

Exhibit VIII.A.14.a. (cont.)

8. Thomas Osiecki
 - a. New Jersey Casino Control Commission – Gaming – Granted, 1981
 - b. Mississippi Gaming Commission – Gaming – Granted, 1993, 2003, 2006
 - c. Louisiana State, River Board – Non-Key Employee – Granted, 1996
 - d. New York State Gaming Commission – Key License, Gaming – Granted, 2008
 - e. New York State Gaming Commission – Key License, Harness – Granted, 2008

9. David Miller
 - a. New York State Gaming Commission – Harness Key License – Granted, 2007
 - b. New York State Gaming Commission – Gaming Key License – Granted, 2007

10. Robert Fitzpatrick
 - a. New York Racing and Wagering – Lottery License - Granted, 2011
 - b. Bahamas Gaming Commission – Gaming License – Granted, 2003
 - c. Florida Department of Business & Professional Licenses – Slot, Poker and Pari-Mutuel License – Granted, 2005
 - d. New Jersey Racing Commission – Pari-Mutuel License - Granted, 2012
 - e. Pennsylvania Gaming Control Board – Gaming License – Granted, 2007
 - f. Mississippi Gaming Commission – Gaming License – Granted, 1996
 - g. Louisiana Gaming Control Board – Gaming License – Granted, 2002
 - h. Missouri Gaming Commission – Gaming License - Granted
 - i. Nevada Gaming Commission – Gaming License – Granted, 2006
 - j. Choctaw Gaming Commission – Gaming License – Granted 1990's

11. Jeff Townsend
 - a. New York State Gaming Commission – Key License – Granted, 2008
 - b. Colorado Department of Revenue, Division of Gaming – Key License – Granted, 2006
 - c. Colorado Department of Revenue, Division of Gaming – Support License – Granted, 2006
 - d. Louisiana Casino Gaming Division – Key License – Granted, 2004
 - e. Indiana Gaming Commission – Level 2 Gaming – Granted, 1996
 - f. Mississippi Gaming Commission – Key License – Granted, 1992

12. Linn Redder
 - a. New York State Gaming Commission, fka NYS Lottery – Key License – Granted, 2007
 - b. New York State Racing & Wagering Board – R&W – Granted, 2007

TIOGA DOWNS LLC

Exhibit VIII.A.14.a. (cont.)

* The Applicant's Affiliate, American Racing-Tioga Downs, Inc. ("AR-TD," formerly known as Nevada Gold-Tioga Downs, Inc.), holds licenses issued by the New York State Racing & Wagering Board. These licenses permit AR-TD to conduct pari-mutuel wagering on live and simulcast horseracing at Tioga Downs Racetrack. The licenses are in full force and effect. Applicant Party Southern Tier Acquisition II, LLC formed AR-TD in order to comply with a New York State Racing & Wagering Board policy prohibiting limited liability companies, such as Tioga Downs Racetrack, LLC ("TDR"), from holding racing licenses. AR-TD and TDR entered into agreements allocating certain management responsibilities. TDR and AR-TD have executed an amendment to those agreements, which will become effective upon the award of a Gaming Facility License to TDR, limiting the scope of AR-TD's management responsibilities strictly to racing operations. Because AR-TD will not "operate and manage the casino of the Gaming Facility," AR-TD is not a Manager within the meaning of the RFA.

No Applicant Party has ever had a gaming-related license denied, suspended, withdrawn or revoked, and there is no pending proceeding that could lead to any of these conditions.