

VIII. ECONOMIC ACTIVITY AND BUSINESS DEVELOPMENT

A. FINANCE AND CAPITAL STRUCTURE

9. U.S. SECURITIES AND EXCHANGE COMMISSION FILINGS; NOTICES AND REPORTS TO FINANCING SOURCES AND EQUITY HOLDERS

Submit as Exhibit VIII. A.9. copies of all U.S. Securities and Exchange Commission (“SEC”) filings, if any, for the Financing Sources, for the three (3) fiscal years ended before the date Applications are due and any interim period between the end of the most recent fiscal year and the date Applications are due, including any SEC filings made by the Financing Sources on a voluntary basis. To the extent not duplicative of the preceding sentence, provide copies of all notices and reports delivered by the Financing Sources to financing sources and agents, equity holders or others for the three (3) fiscal years ended before the date Applications are due and for any interim period between the end of the most recent fiscal year and the date Applications are due that describe the Financing Sources’ general business, business risks, results of operation and financial condition, material agreements, employment arrangements and other similar matters that are required to be included in annual, quarterly and periodic reports filed with the SEC by public companies. Omit from such SEC filings and notices and reports delivered to financing sources and agents, equity holders and others the financial statements for any period covered by the financial statements provided pursuant to Item VIII.A.7. of this RFA, but indicate such omission by inserting a page in such SEC filings where the omission occurs that briefly describes the financial statements so omitted. In lieu of physical submissions, an Applicant may provide links to all responsive materials.

OCCR Enterprises, LLC (applicant), OCCR Enterprises Holdings, LLC (Jointly Owned Holding Entity), PPE Casino Resorts NY, LLC (Cordish Principal’s Holding Entity), NY OCCR Investment, LLC (Penn Holding Entity) and the Cordish Principals are not publically traded entities and therefore have not made any SEC filings.

Penn National Gaming, Inc, the Applicant’s 50% ultimate owner, is publicly traded and has made many SEC filing over the last 3 years. Because of the number and size of such documents we have not included hard copies of these SEC filings. All such filings however, are easily accessed on the web at <https://www.pngaming.com/>, click on “Investors” then “SEC Filings” then search or browse for whatever filings you want to access.