

X. WORKFORCE ENHANCEMENT FACTORS

A. MEASURES TO ADDRESS PROBLEM GAMBLING

4. SELF-EXCLUSION POLICIES

Submit as Exhibit X. A.4. a description of the exclusion policies that will be available for Gaming Facility patrons and employees, including the process to notify individuals of the availability of self--exclusion, the steps that will be taken to assist those who request exclusion and steps that will be taken to assure that excluded patrons are identified before gaining access to the gaming floor.

Requests made directly to New York Live! Casino

Any individual who requests to be placed on a list of individuals voluntarily excluded from casinos in the state of New York will be referred to the New York Lottery and Gaming Control Agency Agent on duty at the casino.

All communication made to or by the state of New York concerning voluntary exclusion will be entrusted to the General Manager or the Director of Compliance and Risk Management of New York Live! Casino.

“Application for voluntary exclusion” forms:

An individual may request to be voluntarily excluded from all New York video lottery facility or casino by completing an application for voluntary exclusion on a form designated and provided by the Commission.

The application for voluntary exclusion shall include, but not be limited to the instructions found in:

“Title 36 State Lottery and Gaming Control Agency Subtitle 01 Gaming Provisions, .03 Voluntary E and Responsible Gaming (C) An application for voluntary exclusion shall include the following...”

Any individual requesting to be excluded from the casino facilities must complete the “Application for Voluntary Exclusion” form. To maintain confidentiality the “Application for Voluntary Exclusion” form will be maintained as follows:

The New York Lottery and Gaming Control Agency Agents on-site at New York Live! Casino will handle all voluntary exclusion applications. After the application has been reviewed and approved by the New York Lottery and Gaming Control Agency Responsible Gambling Program Coordinator, New York Live! Casino will receive an Advisory notice, which will include a photo and all pertinent information for the individual.

The “*Application for Voluntary Exclusion*” form will state that any individual making a request for voluntary exclusion will be prohibited from entering any video lottery facility or casino in the state of New York for at least two years.

Requests made directly to the Commission

Once an individual makes a request directly to the Commission for the purpose of requesting voluntary exclusion; a copy of the “*Advisory Notice*” will be emailed by the New York Lottery Responsible Gambling Coordinator to the General Manager and Director of Compliance and Risk Management of the New York Live! Casino along with a picture of the individual.

The Commission will notify the General Manager and Director of Compliance and Risk Management of New York Live! Casino of any addition or deletion to the “Voluntary Exclusion Program” list after an individual has been processed and approved.

Voluntary Surrender

An individual who has requested voluntary exclusion can immediately surrender to the Commission all unredeemed gaming tickets, chips, plaques and jackpots with monetary value that the individual has received from the gaming facility.

New York Live! Casino shall refer any individual requesting voluntary exclusion to the on-site New York Lottery and Gaming Control Agency Agent who will assist the individual.

Official Voluntary Exclusion Program List

The Commission shall maintain the state of New York Voluntary Exclusion Program list and shall notify the General Manager and Director of Compliance and Risk Management of New York Live! Casino of any addition to or deletion from the list by emailing an Advisory in accordance with voluntary exclusion rules and regulations.

The Security and Surveillance Departments will maintain copies of the all New York Voluntary Exclusion Advisories in a logbook to permit appropriate team members to review and identify voluntarily excluded individuals.

1. The Director of Security will maintain the Security Department logbook. Security Department employees will have access to the logbook.
2. The Surveillance Manager will maintain the Surveillance logbook in the monitor room. Surveillance Department team members will have access to the logbook.

Tracking of Voluntarily Excluded Patrons

Upon receipt of the “*Voluntary Exclusion Advisory*” from the state of New York, the Director of Compliance and Risk Management will forward the document to the Marketing Department. The Marketing Department will be solely responsible for entering into the Player Tracking System (OASIS), message alerts for each individual on the voluntary exclusion list.

In accordance with state guidelines, the exclusion will be entered into the player tracking system within 72 hours of receipt from the New York Lottery Commission.

The mail code for the account will also be changed to a “no mail” code to prevent the individual from receiving any promotional mailings, either via physical mail or email, initiated in-house to include those distributed through a mail distributor or like vendor. In order to make a reasonable effort to prevent the individual from receiving promotional mailings distributed through a mail distributor or like vendor after entering the Voluntary Exclusion Program, New York Live! Casino will not provide such mailings to a mail distributor more than 45 days prior to the mailing without prior specific approval of the New York Lottery and Gaming Control Agency. If applicable, the Credit Department will suspend the individual’s credit account.

New York Live! Casino will exclude persons enrolled in the Voluntary Exclusion Program from mailings, both physical and electronic, conducted by third parties on its behalf (non-direct marketing) when New York Live! Casino has the ability to access the third parties’ mailing list prior to the mailing to compare it against the Voluntary Exclusion Program list.

Mailings, both physical and electronic, conducted on behalf of New York Live! Casino by third parties from mailing lists not available to the facility for comparison with the Voluntary Exclusion Program list prior to the mailing shall be addressed to “Resident” and not to any specific individual. No names or other personalized information is permitted to be included in the body of such mailings. Additionally, these third party mailings conducted on the behalf of New York Live! Casino must contain the “Expanded Gambling Assistance Message”.

The Marketing Department will notify management of the following:

Check-cashing privileges, Live! Rewards membership, complimentary goods and services and other similar privileges and benefits to any voluntarily excluded individual will be denied.

Endeavor that voluntarily excluded individuals do not receive from New York Live! Casino, any solicitations, targeted mailings, telemarketing promotions, player rewards material or other promotional materials relating to gaming activities at New York Live! Casino.

Information furnished to or obtained by the Commission shall be deemed confidential and shall not be disclosed except to facility personnel whose duties and functions require access to the information.

New York Live! Casino and its team members or agents thereof will not disclose the name of, or any information about, any individual who has requested voluntary exclusion to anyone other than team members and agents of New York Live! Casino whose duties and functions require access to such information.

Notwithstanding the forgoing, New York Live! Casino may disclose the name of and information about a voluntarily excluded person to the Commission for the purpose of “*alerting*”

another agent that a voluntarily excluded individual has attempted to play a video lottery machine or attempted to obtain access to the premises of another facility..”

There are two ways a person can be “flagged” as a voluntarily excluded person:

The official Voluntary Exclusion Program list supplied by the Commission which contains all the names of individuals who are prohibited from entering the gaming area; and

When a patron is “flagged” as voluntarily excluded in our system, their player account becomes invalid. If a voluntarily excluded individual attempts to use their Live! Rewards Card, our system will inform the individual that their card is invalid and instructs them to go to the Live! Rewards Booth.

Upon such identification the Surveillance Department will be notified to monitor the presence of the voluntarily excluded person. Once notified, the Surveillance Department will review their logbooks. If the individual is confirmed as being voluntarily excluded Security is called to escort the voluntarily excluded individual to the Security Department Office to document the incident by filing an “*Incident Report*” form. The Security Department may also notify local law enforcement and proceed with criminal trespass charges against the voluntarily excluded individual. The report will detail the following:

- a. Indication of ejection or arrest;
- b. Incident #, date and time of incident, date and time of report;
- c. Location of incident;
- d. Name, including any aliases or nicknames;
- e. SS#, date of birth and address;
- f. Photo taken, Yes or no;
- g. Height, weight, hair color, and other descriptive information;
- h. Incident description
- i. Signature of patron; and
- j. Signature of Security Department representatives

The Security Department is required to inform management of the incident. A copy of the “*Incident Report*” will be forwarded to the Commission by the General Manager.

The Commission is solely responsible for alerting all agents that a voluntarily excluded person has attempted to play a machine, table game or attempted to obtain access to the premises of a facility.

Request for Removal from the Voluntary Exclusion Program

Any voluntarily excluded individual may, upon the expiration of the two years from the date of exclusion; submit to the Commission a request to have the individual’s name removed from the voluntary exclusion list.

A decision whether to remove a person from the Voluntary Exclusion Program shall be within the discretion of the Commission, subject to the fulfillment of all requirements by the individual making the request for removal from the Voluntary Exclusion Program list. The Commission shall notify each licensee or operating agent each time an individual is removed from the voluntary exclusion list.

Once an individual's name has been removed from the voluntary exclusion list, nothing in this rule shall prohibit a licensee or operating agent from offering:

- a. Marketing directly to that individual;
- b. Cashing checks of such a person;
- c. Extending credit to the individual; or
- d. Any other amenities customarily offered by New York Live! Casino to any other patron.

This section does not apply to those voluntarily excluded individuals who have elected lifetime exclusion or those individuals who have been involuntarily excluded from the premises.