

BEFORE THE NEVADA GAMING COMMISSION
AND THE STATE GAMING CONTROL BOARD

In the Matter of Nonrestricted
AGENDA ITEM 02-11-91, N91-0088,
APPLICATION OF BAY MEADOWS OPERATING CO. AND
CALIFORNIA JOCKEY CLUB FOR APPROVAL TO SHARE IN
THE REVENUE FOR THE CONDUCT OF OFF-TRACK
PARI-MUTUEL WAGERING

ORDER

THIS MATTER came on regularly for hearing before the State Gaming Control Board on November 8, 1990, and before the Nevada Gaming Commission on November 29, 1990, at Carson City, Nevada; and

THE BOARD AND COMMISSION having considered all information pertinent hereto;

IT IS HEREBY ORDERED BY THE NEVADA GAMING COMMISSION UPON THE RECOMMENDATION OF THE STATE GAMING CONTROL BOARD:

1. THAT the applications of Bay Meadows Operating Co. and California Jockey Club for approval to share in the revenue from the conduct of off-track pari-mutuel wagering, as amended and supplemented, are hereby accepted as filed.

2. THAT Bay Meadows Operating Co. and California Jockey Club are granted approval to share in the revenue from the conduct of off-track pari-mutuel wagering, said approval limited to expire at midnight on the day the item is heard at the July, 1991 meeting of the Commission. Said approval is also conditioned as follows:

A. THAT prior to Bay Meadows/Cal Jockey receiving a percentage of the revenue generated by off-track pari-mutuel wagering, a definitive, executed agreement shall be submitted to the GCB Chairman, or his designee, for administrative approval, and, subsequent to such administrative approval, the agreement shall not be changed, modified, altered, or amended without prior administrative approval of the GCB Chairman. If the GCB Chairman determines that the definitive, executed agreement is different from prior representations as to reimbursement, or that subsequent proposed changes, modifications, alterations or amendment to the previously approved agreement are substantial, the approval of the NGC shall be required.

B. THAT subsequent to approval of the agreement between Bay Meadows/Cal Jockey and the Nevada Race Books participating in the NGC Regulation 26A trial period, Bay Meadows/Cal Jockey shall comply with the following conditions:

(1) THAT Bay Meadows and Cal Jockey shall comply with the provisions of NRS 463.639(1) and NGC Regulation 16.330, and shall also comply with any requests for additional reporting requirements made by the GCB.

(2) THAT Bay Meadows and/or Cal Jockey shall notify the GCB prior to any change in the ownership or control of Simulcast Enterprises, and upon the commencement of any negotiations contemplating a business venture between Bay Meadows, Cal Jockey or any of its affiliates, and Pacific Racing Association, Ladbroke Group PLC, or any of its affiliates.

(3) THAT the following information shall be reported to the GCB, in writing, within 30 days after the end of the quarter concerning the occurrence or absence of the following:

(a) Any changes in Bay Meadows or Cal Jockey and their affiliates' officers, directors, or key personnel directly or indirectly engaged in the active administration or supervision of the gaming operations conducted at the Bay Meadows Racetrack and related facilities who earn \$50,000 or more annually.

(b) All gaming-related complaints, investigations into alleged misconduct, orders to show cause, and disciplinary actions instituted by, presided over, or in connection with the California Horse Racing Board or any other gaming regulatory agency, involving Bay Meadows, Cal Jockey or their affiliates, and any officer, director, owner, agent or employee thereof.

(c) All arrests made of Bay Meadows, Cal Jockey and their affiliates' officers, directors, owners, agents or employees and their patrons involving gaming misconduct or felony charges in the State of California. The report shall include: the name, position, charge, arresting agency, and a brief description of the event.

(d) Any known gaming cheating or theft wherein an arrest is not made.

(e) A copy of the application for licensure to conduct a horse racing meeting, and any exhibits or attachments thereto, as provided to the California Horse Racing Board.

ENTERED at Carson City, Nevada, this 29th day of November, 1990.