# N.J.R.C. USE ONLY LIC. NO. YR LOC NUMBER RCPT. NO. YR LOC NUMBER ID NO.:

## ELECTRONIC WAGERING TERMINAL PILOT PROGRAM LICENSE APPLICATION

NEW JERSEY RACING COMMISSION P.O. BOX 088 TRENTON, NJ 08625-0088 609-292-0613

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The New Jersey Racing Commission (hereinafter "Commission"), pursuant to N.J.S.A. 5:5-186 et seq., known as the "Off-Track and Account Wagering Pilot Program Act" (hereinafter "Act"), has been authorized to implement a pilot program to license a lessee or purchaser of a State-owned racetrack to provide patrons with the ability to place wagers on horse races through electronic wagering terminals to be located at a limited number of eligible taverns, restaurants, and similar venues where food, alcoholic beverages, or both, are served to the public for on-premises consumption in Bergen, Hudson, Essex, Passaic, Union, Morris, Somerset, Hunterdon, Warren, Sussex, northern Middlesex and northern Ocean counties (that is, venues selected by the pilot program applicant). Pursuant to this authorization, the Commission has the full power to prescribe rules, regulations and conditions under which an Electronic Wagering Terminal Pilot Program wagering license is issued in this State, and to revoke, suspend or refuse to renew a license if in the opinion of the Commission the revocation of, suspension of or refusal to renew such license is in the public interest.

Pursuant to the powers vested in it by the Act, the Commission has promulgated regulations governing the conduct of Electronic Wagering Terminal Pilot Program wagering in this State, which appear at N.J.A.C. 13:74B et. seq. In accordance with the Act and N.J.A.C. 13:74B, the Commission has prescribed the within "Electronic Wagering Terminal Pilot Program License Application" to be completed jointly by a lessee or purchaser of a State-owned racetrack and that entity's selected taverns, restaurants or similar venue(s) located within the above-referenced geographic regions. Upon the filing of this completed application, the Commission shall consider such application pursuant to the procedure set forth in its rules

Any "Electronic Wagering Terminal Pilot Program" license issued to the applicant shall specify the effective dates of the license, the location of the selected venue(s) subject of the license, the periods of time during the calendar year and the maximum hours of operation during which wagering is permitted at the selected venue(s), and such other terms or conditions which may be imposed by the Commission in accordance with the Act and N.J.A.C. 13:74B, as appropriate.

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In making this application, the applicant, and venue(s) selected by the applicant, acknowledge that each is required to provide full and complete answers and disclosures to all questions asked, and that any related license granted by the Commission is predicated upon the accuracy and completeness of the information provided in this application.

If the space allotted within this application is not sufficient to provide an accurate and complete answer, or where the submission of an attachment is specifically required, the applicant (and/or venue selected by the applicant) shall attach such additional pages as are necessary to complete the response thereupon. Where the applicant (and/or venue selected by the applicant) furnishes an attachment to this application in response to any question, the applicant (and/or venue selected by the applicant) shall insert the phrase "see attached" in the answer space on this application form. In all cases, the applicant (and/or venue selected by the applicant) shall label the attachment page with the corresponding question number within this application.

#### Part A - To Be Completed By Lessee Or Purchaser of State-owned Racetrack

Pursuant to the Act, the undersigned ("pilot program applicant") hereby makes application for an Electronic Wagering Terminal Pilot Program license, as designated immediately below, to the Commission:

	() Initial Application, which application is accompanied by a non-refundable filing fee of \$2,500. [see <u>N.J.A.C.</u> 13:74B-2.1(b)].
A1a)	Please provide the full and proper name of the pilot program applicant.
A1b)	Provide the principal address of the pilot program applicant.
A1c)	Provide the principal telephone number of the pilot program applicant.

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A1d)	Provide the name, address and telephone number of the natural person who is authorized to accept service of process on behalf of the pilot program applicant.
A2a)	Provide the full and proper name (as well as any "doing business as", "d/b/a" name) of each proposed Electronic Wagering Terminal Pilot Program venue ("selected venue"). Attach an addendum, if necessary. Please also provide (through an attachment) a copy of the written contract or agreement between the pilot program applicant and each selected venue. If no such contract or agreement exists as concerns any selected venue, provide a written explanation as to why no such document is available.
A2b)	Provide the principal address of each selected venue. Attach an addendum, if necessary.
A2c)	Provide the principal telephone number of each selected venue. Attach an addendum, if necessary.

A3)	Jersey Sports & Exposition	oplicant entered into an agreement with the New on Authority (" NJSEA ") for the sale or lease of a it? If yes, please attach a copy of such agreement
	Yes	No
A4)		plicant been issued a permit by the Commission meeting at said racetrack [See N.J.A.C. 13:74B-
	Yes	No
A5)	participation agreement,	n a copy of a fully executed off-track wagering which the applicant has become a party to [See Is such participation agreement attached?
	Yes	No
	If yes, please answer the	following additional question:
		articipation agreement (with the exception of the address of each, and the principal telephone
A6)		ess and telephone number of the natural person pt service of process on behalf of each party to the

response, attach ar pilot program appl system and any par applicant in the pil	n addendum to tl licant's participat rticipatory role of lot program wage	nis applicat fory role in to persons and ring system	ment by reference in your ion explaining in detail the the pilot program wagering d/or entities other than the i, including but not limited i. Is such an addendum
Yes		No	
agreement with a program wagering	person or entity to system for it, and	o conduct, r d/or for suc	to enter into, a contract or nanage or operate the pilot h person or entity to act as ject to and approved by the
Yes		No	
agreement, if pres narrative explainin	ently entered in g the contract or management ent	to. If yes, agreement ity relating	attach such contract or please provide a detailed, and relationship between to the conduct of the pilot ing thereof.
Is such attachmen	t included?		
Yes		No	
with another licens the NJSEA for the received a race perm	sed entity, that has sale or lease of a mit from the Comr from the licensed	as also enter State-owned nission, und activities of	any contract or agreement red into an agreement with d racetrack which has also der which the parties would the pilot program wagering
Yes		No	_

If yes, attach a copy of the executed agreement and indicate through an

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	attachment (with supporting documentation) whether or not the agreement has been approved by the NJSEA. Is such attached?
	Yes No
A10a)	Identify the proposed location (complete address) of the hub facility within this State, which facility shall service the pilot program wagering system.
A10b)	Is this the same hub facility being utilized in connection with the account wagering system and off-track wagering system?
	Yes No
	If No, is the applicant as part of this application seeking Racing Commission approval to utilize a hub facility different from that being utilized in connection with the account wagering system and off-track wagering system?
	Yes No
A11)	Identify the following information concerning the proposed vendor of the hub facility, which facility is to be utilized in connection with the pilot program wagering system?
	Vendor Name:
	Principal Address:
	-
	Principal Telephone Number:
Δ1Ω)	Has the applicant entered into a written contract or agreement with the

A12) Has the applicant entered into a written contract or agreement with the vendor, as described in the response to question A11 to this application, in connection with the hub facility to be utilized in connection with the pilot

	program wagering sys	tem subject of t	his app	olication?	
	Yes	Γ	No _		
	If yes, attach a copy attached?	copy of the writ	tten co	ntract or agreement.	Is such
	Yes	N	No _		
A13)	Please attach an adderegarding the electron intends to use in the pevidence that such te N.J.A.C. 13:70, 13:71, include, but not be 1 terminals, history of u as well as the number such attached?	nic wagering ter ilot program was rminals comply 13:74, and 13:7 imited to, the nace	rminals gering s with t '4B-2.1 nanufa nines ir	the pilot program a selected venue(s), and the requirements set (d)5. This information cturer/model of the nother jurise	pplicant I provide forth in a should selected dictions,
	Yes	ľ	No _		
A14)	Provide the following is the pilot program a connection with its pilot.	pplicant (name	e, addı	ess, telephone nun	_
A15)	Has the pilot program of the applicant, enter financial institution, is directly or indirectly in	red into any fin ndividual or thir	ancing d party	arrangement with ar to provide funding to	ny bank, be used
	Yes	ľ	No _		

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	If yes, identify the parties subject of the financing arrangement and the details concerning the financing and securement thereof?				it and		
		any racing-related r ance the start-up a					
		Yes		No			
		If yes, include an a source of those monies.					
	detai finan	h as an verified do ls and establishes cial resources to e ilot program wage hed?	that the particular that t	ilot prograi d successfi	m applicant ally impleme	has suff nt and op	icient perate
		Yes		No			
A16)	Pleas	e attach a "Table o	f Organizati	on" setting	forth with sp	ecificity:	
	a)	the identity of the in the case of a co					, –
	b)	the identity and co to the pilot progra applicant which v oversight respons program wagering of each employe administrative or entity, affiliate or	im applicant will have any sibility with graystem or recee or person oversight res	), affiliate of managem respect to elated licens on who w	r agent of the ent, adminis o any aspec sure duties; a ill have an	e pilot prostrative as trative as t of the and the ide y manag	ogram nd/or pilot entity gerial,
	Is su	ch a "Table of Orga	unization" at	ached?			
	Yes_		No				

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c) For the pilot program applicant and each entity, affiliate or agent identified in the "Table of Organization" attached to this application in response to questions A16 a) and b), attach a "Table (or Tables) Of Ownership" identifying any parent corporation(s), parent entities (partnerships, etc.), or person(s) which holds any ownership interest in said pilot program applicant, entity or agent. This question should be answered in a fashion so that the Commission is fully apprised of all direct and indirect owners (except that, where a publicly traded corporation, holders of less than a 5% interest need not be disclosed) of the pilot program applicant, as well as with respect to any entity, affiliate or agent of the pilot program applicant which will have any management, administrative or oversight responsibility with regard to the subject of this application.

Is such a table (or tables) attached?

	Yes is atta	, a table for each entity, affiliate or agent is attached, a table for one or more (but not all) entities, affiliates or agents ached, no tables are attached.
		If the answer to question 16 c) is "yes, a table for one or more (but not all) entities, affiliates or agents is attached," or "no, no tables are attached," list each entity below for which such table is not attached and provide an explanation why that respective table is not attached:
A17)		e pilot program applicant's knowledge, has any entity or person sed in completing this application (Part A) ever been convicted of any
		Yes No
		If yes, provide the particulars?

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A18)	To the pilot program applicant's knowledge, has any entity or person disclosed in completing this application (Part A) ever been suspended, denied a license or ruled off by this or any other Racing Commission or turf governing body?
	Yes No
	If yes, give particulars?
A19)	To the pilot program applicant's knowledge, is any entity or person disclosed in completing this application (Part A) presently the subject of any pending criminal investigation, criminal complaint, criminal charges or criminal indictment?
	Yes No
	If yes, give particulars?
A20)	To the pilot program applicant's knowledge, is any entity or person disclosed in completing this application (Part A) presently subject of any civil proceeding where the potential liability may exceed \$10,000?
	Yes No
	If yes, give particulars?
A21)	To the pilot program applicant's knowledge, is any entity or person

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disclosed in completing this application (Part A) the subject of any pending

		igation or pending complaint by any federal or state agency or atory body?
		Yes No
		If yes, give particulars?
A22)	the p	fy below the name and employment position of the individual who had rimary responsibility on behalf of the pilot program applicant to lete this application (Part A)?
A23)	agent signat applic	fy below the name and employment position of the high managerial (required) who, on behalf of the pilot program applicant, and in the cure space below, is attesting that the disclosures within this ration (Part A) are to the best of his or her knowledge true, accurate complete, as required by N.J.A.C. 13:74-2.1(d)8.

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### CERTIFICATION OF PILOT PROGRAM APPLICANT (PART A TO APPLICATION)

I,, being duly authorized to execute this application on behalf of the <u>pilot program applicant</u> , certify that the answers and disclosures within this application and its attachments to the best of my knowledge are true, accurate and complete.
Sworn and subscribed to before me this day of, 20
A Notary Public of New Jersey
My Commission expires

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## Part B - To Be Completed Jointly By Pilot Program Applicant And Electronic Wagering Terminal Pilot Program Venue Selected By The Pilot Program Applicant ("Selected Venue")

In making this application, the applicant, and venue selected by the applicant, acknowledge that each is required to provide full and complete answers and disclosures to all questions asked, and that any related license granted by the New Jersey Racing Commission ("Commission") is predicated upon the accuracy and completeness of the information provided in this application.

If the space allotted within this application is not sufficient to provide an accurate and complete answer, or where the submission of an attachment is specifically required, the applicant (and/or venue selected by the applicant) shall attach such additional pages as are necessary to complete the response thereupon. Where the applicant (and/or venue selected by the applicant) furnishes an attachment to this application in response to any question, the applicant (and/or venue selected by the applicant) shall insert the phrase "see attached" in the answer space on this application form. In all cases, the applicant (and/or venue selected by the applicant) shall label the attachment page with the corresponding question number within this application.

This application (Part B) incorporates by reference the four paragraphs which are found at pages 1 and 2 to this application, and which precede Part A to this

application. A separate "Part B' to this application is required for each selected venue.

B1a) Please identify the location, business name (include any "doing business as", "d/b/a" name), and full address of the selected venue.

B1b) In an attachment, identify the names and addresses of the present ownership and management of the selected venue. Also identify whether or not any owner or manager of the facility resigned or was otherwise

terminated in the twelve (12) month period preceding the date of the filing of this application, and if so, identify the name and address of such

person(s). Is an attachment, providing this information, included?

Yes	No
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B1c)	Under what form of business does the selected venue operate or intend to operate (e.g. corporate, partnership, etc.)?
	Attach a copy of the paperwork related to the form of business under which the selected venue operates. Is such attached?
	Yes No (if no, explain why not in an attachment)
B1d)	Please provide the name, address and telephone number of the natural person who is authorized to accept service of process on behalf of the selected venue. Attach an addendum, if necessary.
B1e)	Identify whether or not the selected venue is a presently operating business, and the County within which the selected venue is/will be located. Also indicate whether the selected venue is presently operating a restaurant or tavern, or other than a restaurant or tavern, and whether it serves food, whether it serves alcohol, and the type(s) of non-gaming amenities presently available at the premises.
B1f)	Identify the municipality (legal name) in which the selected venue is/will be located.

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B1g)	crow flies"), as well as time of travel selected venue and each racetra	by vehicle/shortest route, and "as the by ground transportation, between the ack, off-track wagering facility and I or existing in the State of New Jersey.
B1h)		particularity, why the selected venue, of the Commission, is an eligible tavern, h an addendum attached?
	Yes	No
B1i)	venue, under the rules of the Comm	cificity, why the applicant and selected ission, particularly at N.J.A.C. 13:74B-r comply with said rules? Is such an
	Yes	No
B1j)	applicant and selected venue, under the issuance of a license for the terminals at the selected venue wou	particularity, why the pilot program or the rules of the Commission, believe establishment of electronic wagering ald not be inimical to the interests of a rack wagering facility, or simulcasting

In answering this question, please specifically (under a labeled corresponding heading) address each of the following geographic proximity and impact criteria: the distance in miles between the selected venue and any racetrack, off-track wagering facility, or simulcast facility; the time it takes to travel between the selected venue and any racetrack, off-track wagering facility, or simulcast facility; any proposed plans intended to attract a new wagering population within the area of proximity to any racetrack, off-track wagering facility, or simulcasting facility; available wagering data or market analyses evaluating the wagering population, its

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	track wagering fa	acility, or simulo l venues (include	casting fa any suc	acility and in h evaluations	any racetrack, off- proximity to the commissioned or
	Yes		No		
B1k)	other evidence, facility, or simulo	addressing whet asting facility in	her any proximity	racetrack, o	we any writing, or ff-track wagering ed venue opposes, ne selected venue?
	Yes	(if yes, attac	•	supporting	explanation and
	No				
B2)			-		which the selected ssary to be issued
	Yes	_	No		
	If No, state whet requirements in o		oprovals a	are necessary	and explain the
	Commission or ta	he local municip	ality (if a	ny), necessar	he approval of the y for the selected program wagering
	Yes	_	No		
	· -		-	_	al approvals with

accomplished?

ВЗа)	that, in addition to employees, as dete needing to be issued	ram applicant, and selected venue, each the pilot program applicant (including its rmined by the Commission consistent with a license, that the selected venue (including sistent with the rules of the Commission) with mmission?	agents and h its rules ng its agents				
	Yes	No					
B3b)	indicating its posit regard to the Comm	ter, of the New Jersey Sports & Exposition ion (in favor/opposed/no position/neutralission's determination on this application as, and as to the selected venue. Is such	l, etc.) with s to the pilot				
	Yes	No					
B4a)	Attach an addendum to this application (which could include diagrams) pursuant to the requirements of <u>N.J.A.C.</u> 13:74B-2.1(f) and this application, detailing:						
	description in the space rel amenities; the number of the number of the gross reve the fire evacu- the type of fo if alcoholic b requirements the proposed day) of the se	ationship between wagering and non-wage of employees at the selected venue of jobs expected to be created at the selected enues expected to be generated by the selected ation plan for the selected venue; od and beverages to be available; everages are to be served at the facility, we sof law have been satisfied; hours of operation (including days of weelected venue and number of electronic wagering terminals at	ring related d venue; eted venue; whether the				
	Yes	No					

No

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Yes \_\_\_\_

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	money room/secured lo	ocation and ultimate distribution therefrom.	
	Yes	No	
	Commission to particip	d insure that the selected venue, if licensed by that in the pilot program wagering system, complied the P.L. 2011, c. 228 and N.J.A.C. 13:74B.	
	Yes	No	
	response to this questi	er the internal control procedures, provided from to the application, apply to the pilot programenue, both the pilot program applicant and selected	ım
			_
B5a)	control procedures of operations of its own	to this application a copy of any separate intern the selected venue, which are directed to the business and proposed business activities as program wagering system. Are such internal contr	he a
	Yes	No	
	If No, explain wh	y not in an attachment.	
B6)	which details and estable resources to sufficiently wagering through the	orting documentation (such as financial statement olishes the selected venue's availability of financi y enable it to establish and conduct pari-mutu electronic wagering terminals, with appropriate perations. Is such attachment included?	ial iel
	Yes	No	

Procedures designed to accurately account for and track proceeds from wagering from the time the related wager is placed through delivery to the

No

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	If yes,	give 1	particul	ars?							
B13)	compl	eting nal in	this ap vestigat	plicatio	rledge, i n (Part I minal co	3) prese	ently	the su	bject o	of any	
		Yes				No					
	If yes,	give 1	particul	ars?							
B14)	disclo	sed in	compl	eting th	plicant's is applic potentia	cation (	(Part	B) pres	sently	subjec	et of any
		Yes				No					
	If yes,	give 1	particul	ars?							
B15)	disclo	sed in igatio	comple n or pe	eting th	plicant's is applica complai	ation (P	art B	the su	ıbject (	of any	pending
		Yes				No					

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	If yes,	give particulars?
B16)	the pr	fy below the name and employment position of the individual who had rimary responsibility, on behalf of the pilot program applicant, to ete this application (Part B)?
B17)	agent signat applic	fy below the name and employment position of the high managerial (required) who, on behalf of the pilot program applicant, and in the cure space below, is attesting that the disclosures within this ration (Part B) are to the best of his or her knowledge true, accurate complete, as required by N.J.A.C. 13:74B-2.1(f)8.
B18)		e selected venue's knowledge, has any entity or person disclosed in eting this application (Part B) ever been convicted of any crime?
		Yes No
	If yes,	provide the particulars?

completing this application (I or ruled off by this or any other					rt B) e	ver been	susper	ided, de	enied a l	icense
		Yes			]	No _				
	If yes,	give	particula	rs?						
B20)	compl	leting nal in	this appl vestigatio	ue's knowl lication (Pa on, crimina	art B) p	presentl	y the sı	abject of	f any pe	ending
		Yes			]	No _				
	If yes,	give	particula	rs?						
B21)	compl	leting	this appli	ue's knowl ication (Par liability m	rt B) pr	esently	subject	_		
		Yes			]	No _				
	If yes,	give	particula	rs?						

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B22)	compl	eting	this appli	ies knowle cation (Par t by any fe	rt B) the s	abject of	any pend	ling inves	tigation
		Yes			No		_		
	If yes,	give 1	particular	s?					
B23)	the p	rimary		ne and em sibility on tion?		-			
B24)	agent space B) are	(requi	ired) who, , is attest e best of l	me and end on behalf ting that this or her 13:74B-2.	of the se he disclos knowledg	lected ve sures wit	nue, and hin this	in the si applicati	gnature on (Part

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#### CERTIFICATION OF PILOT PROGRAM APPLICANT (PART B TO APPLICATION)

I,, being duly aut behalf of the pilot program applicant, cer within this application (Part B) and its att are true, accurate and complete.	
Sworn and subscribed to	
before me this	
day of	
A Notary Public of New Jersey	
A Notary I ublic of New Jersey	
My Commission expires	<u> </u>

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#### CERTIFICATION OF SELECTED VENUE (PART B TO APPLICATION)

behalf of the selected venue, certify that	uthorized to execute this application on the answers and disclosures within this best of my knowledge are true, accurate
Sworn and subscribed to before me this day of, 20	
A Notary Public of New Jersey	
My Commission expires	