

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825
(916) 263-6000
FAX (916) 263-6042



REGULAR MEETING

of the **California Horse Racing Board** will be held on **Wednesday, September 24, 2014**, commencing at **9:30 a.m.**, in the Finish Line Room at the **Los Alamitos Race Course, 4961 Katella Avenue, Los Alamitos, California**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under "Webcasts."

AGENDA

Action Items:

1. **Approval of the minutes of August 21, 2014.**
2. **Executive Director's Report.**
3. **Public Comment:** Communications, reports, requests for future actions of the Board.
Note: Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentations.
4. Discussion and action by the Board on the **nomination of members to the Board of Directors of the California Thoroughbred Horsemen's Foundation, Inc.**
5. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Del Mar Thoroughbred Club (T) at Del Mar**, commencing November 5, 2014 through November 30, 2014, inclusive.
6. Discussion and action by the Board regarding the **presentation from EquiLottery, which allows lottery players to purchase tickets on live horse races by commingling in the wagering pools.**
7. Discussion and action by the Board regarding the **status update from the Los Angeles Turf Club on its backside improvement plans for Santa Anita and San Luis Rey Downs.**
8. Report from the **Pari-mutuel/ADW and Simulcast Committee.**

9. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
 - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," as authorized by Government Code section 11126(e).
 - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
 - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126 (a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

CALIFORNIA HORSE RACING BOARD

Chuck Winner, Chairman
Bo Derek, 1st Vice Chairman
Richard Rosenberg, 2nd Vice Chairman
Steve Beneto, Member
Jesse H. Choper, Member
George Krikorian, Member
Madeline Auerbach, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director

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PENDING LITIGATION SEPTEMBER 2014

COURT LITIGATION

- A. **Jeff Mullins vs. CHRB, et al**
Superior Court of California, County of San Diego, Case No. 37-2010-00092212
- B. **Morteza Atashkar vs. CHRB**
Superior Court of California, County of Sacramento, Case No. 34-2008-00024426
Court of Appeal, Third Appellate District, C074852
- C. **San Luis Rey Racing, Inc., vs. CHRB, et al**
Superior Court of California, County of San Diego, Case No. 37-2011-00096586
- D. **Donald Lockwood vs. CHRB**
Superior Court of California, County of Los Angeles, Case No. BS147701
- E. **James Hanson vs. CHRB**
Superior Court of California, County of Los Angeles, Case No. BS147729

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**PENDING ADMINISTRATIVE ADJUDICATIONS
SEPTEMBER 2014**

CASE

- A. Proposed Decision**
Trainer Herbert Ho
Case Number: 14LA0149

- B. Proposed Decision**
Jockey Edwin Maldonado
Case Number: SAC 14-0020

PROCEEDINGS of the Regular Meeting of the **California Horse Racing Board** held at the **Del Mar Surfside Race Place** (Downstairs General Admission Area), 2260 Jimmy Durante Blvd., Del Mar, California, on **August 21, 2014**.

Present: Chuck Winner, Chairman
 Bo Derek, 1st Vice-Chairman
 Richard Rosenberg, 2nd Vice-Chairman
 Madeline Auerbach, Member
 Steve Beneto, Member
 Jesse H. Choper, Member
 George Krikorian, Member
 Rick Baedeker, Executive Director
 Jacqueline Wagner, Assistant Executive Director
 Robert Miller, General Counsel

APPROVAL OF THE MINUTES OF JULY 18, 2014

Chairman Winner asked for approval of the minutes of the Regular Meeting of July 18, 2014. 2nd Vice-Chairman Rosenberg **motioned** to approve the minutes. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

EXECUTIVE DIRECTOR'S REPORT.

Executive Director Baedeker stated AB 2592 and AB 2005 were out for final reading. AB 2005 was amended to change the number of added ex-officio Board members from four to two. The new members would not have a vote and would be replaced if they missed three consecutive meetings. Executive Director Baedeker said a correction was necessary for testimony made at the July Regular Board Meeting on the 18 percent Daily Double takeout at Santa Anita. It had been stated that the reduced takeout resulted in a \$500,000 reduction in purses, when the actual reduction in purses was \$228,000 coupled with a \$236,000 reduction in commissions. Executive Director Baedeker spoke about the vital role of the safety stewards. He said the experiences of the 2014 summer made it clear that the information gathered by the safety stewards would need

to be used more aggressively. Executive Director Baedeker stated implementation on the amendment to Rule 1844, Authorized Medication, would begin on October 1, 2014, with new threshold levels for corticosteroids. Before October 1, Dr. Arthur would work with stewards to issue warnings when testing showed corticosteroid levels in excess of the new permitted levels. Executive Director Baedeker stated two CHRB investigators were sent to assist the New Mexico Racing Commission with the All American Futurity and Derby trials. There the investigators discovered some medication violations, as well as a jockey in possession of an illegal electrical device. Executive Director Baedeker said the Firehouse, a new minisatellite in Bakersfield, opened on August 6, 2014 and had a successful first two weeks. Industry wide July daytime handle was down thirteen percent, and nighttime handle down eleven percent; however, the industry wide handle for the first seven months of 2014 was still up .76 percent over the first seven months in 2013.

PUBLIC COMMENT

Andy Asaro, a horse player advocate, stated the loss in handle during the experimental reduced takeout was caused by changing the rolling Daily Double to a Daily Double offered only three times a day, not the reduction in takeout. There was discussion on the complexities of finding optimal takeout, and the risks involved with reducing the takeout. Commissioner Auerbach stated there were many interests involved, not just the wagerer's interests, and unless the issue was handled in a calm rational fashion, a great deal of harm could be done before it could be undone. John Mulvihill, representing himself, stated California needed a larger horse population and more wagering options that provided long shot odds with big payouts. Russ Lemon, representing himself, spoke about the possible issues with the use of genetically modified

organisms (GMOs) as horse feed, and fluorine in tap water. Adrienne Samuels, representing herself, asked the Board for action to prevent the use of GMOs as horse feed. Joanne Nor, representing herself, stated that GMOs should not be used as horse feed. Chairman Winner stated that he disagreed with the opinion that GMOs were an unsafe feed source, but both sides of the issue wanted the same thing, to keep horses safe. John Bucalo stated satellites and minisatellites were in a state of decline due to the unfair preference in policies given to advance deposit wagering (ADW) companies. He said ADWs were improving their market share because they could provide rebates, which were sometimes greater than the two percent distribution going to satellites and minisatellites.

DISCUSSION AND ACTION BY THE BOARD REGARDING DELEGATING AUTHORITY TO THE CHRB CHAIRMAN AND/OR THE EXECUTIVE DIRECTOR OF THE BOARD TO APPROVE CHRB SERVICE CONTRACTS ON BEHALF OF THE BOARD.

Executive Director Baedeker stated it was commonplace for boards or commissions to delegate their authority to sign service contracts. Doing so streamlined the contract process and prevented routine repetitive contracts from lapsing while waiting for the next scheduled Board meeting. Currently the Executive Director was authorized to approve a contract for up to nine days, but 9 days was not long enough to cover the time between regular meetings. Commissioner Auerbach stated she had no problem with delegating authority to the current Chairman and Executive Director; however, in the future, the lack of oversight with the delegated authority could become an issue. She said reviewing the delegation every 12 months might make it more reasonable. 2nd Vice-Chairman Rosenberg asked if the State Administrative Manual requirement to provide a copy of a Board motion approving contracts made the proposed delegation of authority illegal.

Robert Miller, General Council, stated the motion to delegate contract approval authority, the item currently being discussed, would be included in place of individual motions for each contract. Commissioner Krikorian asked if there were any other examples of issues that the proposed delegation would alleviate. Executive Director Baedeker stated beyond the issues with scheduling contracts around Board meetings, there were also issues with the Board meetings being public forums. He said the contracts were public information; however, there was no need to broadcast the contract discussions to the whole state. Commissioner Beneto suggested the Board give the Executive Director the authority to approve contracts for up to thirty days which would cover the full time in between meetings. Executive Director Baedeker said that would address the issue with scheduling but not the issue of confidentiality. Chairman Winner stated he did not want to create a situation where the Executive Director approved short term contracts only to have the Board overrule the approval; that would put the Executive Director and the Contractors in a difficult position. He stated he was in favor of giving the Executive Director and Assistant Executive Director more flexibility, but was also in favor of reevaluating the delegation of authority annually. 1st Vice-Chairman Derek stated the Board had an opportunity to take care of the issue and it should approve the proposed delegation, with the addition of an annual review. Commissioner Auerbach suggested the motion should also include delegation to a Vice-Chairman as back up to the Chairman. Commissioner Beneto asked if a Decision by the Executive Director had to be approved by the Chairman and one of the Vice-Chairmen. Chairman Winner stated the Executive Director could not approve a contract without the approval of the Chairman or a Vice-Chairman. Commissioner Auerbach **motioned** to approve a delegation of the Boards authority allowing the Executive Director, after receiving approval of the Chairman and/or a Vice-Chairman, to approve CHRB service contracts, contingent that the

delegation be reviewed on an annual basis. Commissioner Krikorian **seconded** the motion, which was **unanimously carried** with Chairman Winner abstaining from the vote.

DISCUSSION AND ACTION BY THE BOARD ON THE APPROVAL OF A CONTRACT WITH BIOMECHANICALLY APPLIED ENGINEERING, TO PROVIDE CHRB HOOF TESTER DATA COLLECTION AND EVALUATION, IN SUPPORT OF RACE TRACK SURFACE STANDARDS.

This item was taken off of the agenda.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1632, JOCKEY'S RIDING FEE, TO REVISE THE JOCKEY RIDING FEE SCALE PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19501.

Executive Director Baedeker stated Business and Professions Code section 19501 required increases to the jockey riding fee for a losing mount equal to the increases in the state minimum wage; however, the most recent such increase made fees to losing mounts higher than second and third place finishers. The proposed amendment to 1632, Jockey's Riding Fee, would increase the second and third place finishers any time the state minimum wage increased. Darrell Haire, of the Jockeys' Guild, asked if the pay increase for second and third place finishers could be retroactive to July 1, 2014, the date of the most recent minimum wage increase. Executive Director Baedeker stated CHRB had directed the pay masters to pay retroactively to July 1, 2014. Commissioner Choper **motioned** to approve the proposed amendment to CHRB Rule 1632 to revise the jockey riding fee scale. Commissioner Krikorian **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FROM THE LOS ALAMITOS RACING ASSOCIATION ON BEHALF OF THE LOS ANGELES COUNTY FAIR TO 1) AMEND ITS APPLICATION TO INCLUDE QUARTER HORSE AND ARABIAN RACING AT ITS SEPTEMBER 4 THROUGH SEPTEMBER 23, 2014 RACE MEETING AT LOS ALAMITOS AND 2) TO INCLUDE ROLLING DOUBLES WITH A 20% TAKEOUT TO ITS WAGERING PLATFORM.

Brad McKenzie, of Los Alamitos Racing Association (Los Alamitos), stated that discussions with some industry stakeholders led to the decision to run quarter horses and Arabians as part of the Los Angeles County Fair (LACF) dates, but after later discussions with labor groups and the Thoroughbred Owners of California, it was decided to keep the LACF dates thoroughbred only, and run quarter and Arabian horses under the quarter horse race meet license. Mr. McKenzie said Los Alamitos was also requesting to add rolling Daily Doubles with a 20 percent takeout to make the Los Alamitos wagering program consistent with the rest of the industry. 2nd Vice-Chairman Rosenberg asked if Arabian horses would run during the LACF race dates. Mr. McKenzie stated they would run during the dates of the fair, but at night during the quarter horse race meet. 2nd Vice-Chairman Rosenberg asked if everyone was happy with the proposed arrangement. Mr. McKenzie stated the Arabian Racing Association of California approved. Commissioner Auerbach stated she saw a condition book for the LACF race meet, at Los Alamitos, which had no mention of the LACF. She said the race meet was still a fair race meet and this needed to be clear for the horsemen. Mr. McKenzie said Los Alamitos had branded the race meet as a continuation between Del Mar and Santa Anita, but it would do a better job of identifying that it was still a LACF race meet. 2nd Vice-Chairman Rosenberg **motioned** to approve the request from LACF at Los Alamitos to amend its application to include rolling doubles with a 20% takeout to its wagering platform. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FROM THE LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION TO AMEND ITS 2014 QUARTER HORSE APPLICATION FOR LICENSE TO NOT RUN ON SEPTEMBER 5, 6, 7, 12, 13, 14, 19, 20 AND 21ST AND 2) WITH THE SUPPORT OF THE HARNESS INDUSTRY REQUESTING PERMISSION TO BRING IN NIGHTTIME (AFTER 5:30 PM) OUT OF STATE IMPORTS ON THOSE DATES.

This item was taken off of the agenda.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE BIG FRESNO FAIR (F) AT FRESNO, COMMENCING OCTOBER 1, 2014 THROUGH OCTOBER 13, 2014, INCLUSIVE.

John Alkire, of the Big Fresno Fair (Fresno), stated the 2013 race meet was successful; the handle was up and all purse expenses were paid. He said Fresno was in discussions to continue the vanning and stabling program that was piloted in 2013. Chairman Winner asked why attendance had gone down every year since 2009. Mr. Alkire stated that Fresno handle was up, and the people who watched the racing for free on the ground floor, which could hold up to 4,000 people, were not counted. Commissioner Krikorian asked how much money had been requested from the Vanning and Stabling Fund. Mr. Alkire stated Fresno received \$30 to \$35 thousand in 2013 and had requested \$50 thousand for the 2014 race meet. Commissioner Choper stated he was pleased Fresno was offering the Place Pick for a dollar. Commissioner Krikorian **motioned** to approve the application for license to conduct a horse racing meeting at Fresno, commencing October 1, 2014 through October 13, 2014. Commissioner Beneto **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION (T) AT GOLDEN GATE FIELDS, COMMENCING OCTOBER 16, 2014 THROUGH DECEMBER 21, 2014, INCLUSIVE.

Cal Rainey, of Golden Gate Fields (GGF), stated the 2014 spring race meet was successful with all source handle up one percent; on-track handle was down five percent, but advance deposit wagering handle was up 23 percent. The 2014 summer race meet started with horse population issues, as it raced concurrently for two weeks with the Ferndale County Fair. He said the 2013 fall race meet had a much healthier horse population, and was able to run almost 8 horses per race. Commissioner Choper asked if there was an explanation for the higher field size in the fall. Mr. Rainey said the horses took a break after summer racing but were ready to go again in October. Also, GGF was able to keep its turf course open until January 6, 2014. Commissioner Beneto asked about the handle for the first week of the summer race meet. Mr. Rainey said handle was a little down compared to 2013 due to a smaller field. Commissioner Beneto asked how many horses were currently at GGF and the Pleasanton auxiliary site, and how the numbers compared to 2013. Mr. Rainey stated there were 1150 horses at GGF and 300 horses at Pleasanton; in 2013 there were 1250 at GGF. Commissioner Choper asked if Oregon or Washington race meets had an effect on GGF horse population. Mr. Rainey said some Washington trainers came to California when Emerald Downs shut down, but went back when Emerald Downs reopened, and Oregon already had a very low horse field. Commissioner Auerbach stated that the inventory problem was due to five years of reduced breeding, but hopefully it had bottomed out and would start building up again. Commissioner Krikorian said 2014 had a record low number of mares in foal so the horse population would continue to shrink for at least the next two years. Commissioner Beneto asked why GGF was continuing to offer the Pick 5 with a 14 percent takeout. Mr. Ludt stated it was a common wager that all of the other

California tracks offered, but the Pick 6 was a new wager that was designed for more rollover to increase its popularity. Mr. Rainey said the 20 cent minimum would also improve its popularity. Commissioner Choper asked if it might be a good idea to hire an experienced statistician that could give the industry insight on optimal takeout. Mr. Rainey said takeout had already been studied closely. Chairman Winner stated hiring an outside expert was a worthwhile consideration that should be discussed at the next Pari-Mutuel, ADW, and Simulcasting Committee meeting. 2nd Vice-Chairman Rosenberg stated the “Strengths, Weaknesses, Opportunities, and Threats” section of the GGF marketing report was excellent. He asked if there was any more discussion on Saturday Dollar Days, or whether to continue promotional giveaways. Dan Cirimele stated the effectiveness of both programs was still being studied, but the giveaway program had probably run its course. Commissioner Auerbach stated she was glad to hear that. Chairman Winner suggested the giveaway program should be phased out slowly to prevent upsetting customers. Mr. Cirimele stated there would still be giveaways for special occasions. Commissioner Beneto **motioned** to approve the application for license to conduct a horse racing meeting at GGF, commencing October 16, 2014 through December 21, 2014. 2nd Vice-Chairman Rosenberg **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE ALLOCATION OF THE 2015 HARNESS RACE DATES.

Assistant Executive Director Jacqueline Wagner stated the harness racing dates were overlooked while deciding the allocation of 2015 race dates. Watch and Wager proposed to race December 26, 2014 through May 10, 2015; and October 2, 2015 through December 20, 2015. Commissioner Choper asked why there was a five week reduction in the proposed request.

Christopher Schick, representing Watch and Wager (WAW), stated the request reflected more accurately the actual days raced, which have been about the same for three years. Mr. Schick said if the horse population allowed for it, WAW would try and go back to racing three days a week for at least part of the year. Commissioner Beneto **motioned** to approve the allocation of the 2015 harness race dates for WAW: December 26, 2014 through May 10, 2015; and October 2, 2015 through December 20, 2015. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF WATCH AND WAGER LLC (H) AT CAL EXPO, COMMENCING OCTOBER 4, 2014 THROUGH DECEMBER 21, 2014, INCLUSIVE.

Christopher Schick, representing Watch and Wager (WAW), stated the 2014 race meets had almost identical dates to the 2013 race meets, however, when racing two days a week the days would be Saturday/Sunday instead of Friday/Saturday. He said WAW and the California Harness Horsemen's Association were committing \$300,000 to horse recruitment. With that and the completion of the tack room upgrades he expected an increase in horse population. Commissioner Beneto asked how many horses were coming out-of-state for the fall race meet. Mr. Schick stated the response was much greater than previous years with firm commitments from five or six new stables. 2nd Vice-Chairman Rosenberg asked if the new tack rooms were being advertised to the harness racing community on the East Coast. Mr. Schick said there were print advertising in most of the main racing publications, but the ads were more focused on the Midwest. 2nd Vice-Chairman Rosenberg asked about the requested takeout reductions. Mr. Schick stated other than the unique winner Pick 6, the wagers were in place in 2013 and had

proven successful. Executive Director Baedeker stated that in 2013 CHRB had some issues with WAW on the security of its barn area, and it was appreciated that WAW had responded in a very supportive manner. Mr. Schick stated WAW was in the final year of its lease at Cal Expo with two one year extension options. He said Cal Expo indicated it wanted WAW to continue operations. Ed Cummings, of WAW, stated WAW was also committed to continuing operations at Cal Expo. Jacqueline Wagner, Assistant Executive Director, stated advance deposit wagering agreements and the fire clearance were still outstanding. Commissioner Beneto **motioned** to approve the application for license to conduct a horse racing meeting of WAW at Cal Expo, commencing October 4, 2014 through December 21, 2014, and contingent upon receiving outstanding items. 1st Vice-Chairman Derek **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD ON THE REPORT FROM THE CHRB EQUINE MEDICAL DIRECTOR ON THE ADMINISTRATION OF RACE-DAY FUROSEMIDE (LASIX).

Dr. Rick Arthur, Equine Medical Director, stated the National Uniform Medication policy was slowly moving forward, with opposition mostly coming from private veterinarians. He said there were California Veterinarian Medical Board regulations that could be used to strengthen CHRB oversight of prescribing and labeling medications. Dr. Arthur spoke about the use of cobalt in standardbred horses as a performance enhancer. He stated Watch and Wager had been encouraged to establish a house rule to regulate its use. The CHRB was in discussions to create a rule to regulate cobalt levels while the Association of Racing Commissioners International (ARCI) was in the process of setting a national threshold for cobalt. Chairman Winner asked how cobalt improved performance. Dr. Arthur stated it increased erythropoiesis, thereby raising

O2 carrying capacity. 2nd Vice-Chairman Rosenberg asked if it increased performance why it was not found in other horse breeds. Dr. Arthur stated he did not know why it had caught on with standardbred horses but not the other breeds. Dr. Arthur spoke about the history of furosemide (Lasix) use in horseracing, and how the prevalence of exercise induced pulmonary hemorrhage (EIPH), and the corresponding use of Lasix, went up with the availability of fiber optic endoscopes to see into the horses respiratory tract. Before the endoscopes, horses were diagnosed as bleeders only if blood was visible in and around the nose, but many more horses had EIPH but the blood was swallowed and not seen by a visual inspection. Commissioner Choper asked if there were consequences of the blood being swallowed. Dr. Arthur stated there was not. He said studies were done showing that Lasix alleviated some of the EIPH bleeding, but horses were not statistically healthier when given Lasix; whether a horse bled or not had no effect on how long a horse raced. He cited a study that examined a group of horses grading them from 0 to 4 on severity of EIPH, and then followed their race history. The study found no difference in earnings, wins, or how long they raced between the seven horses graded 4 and the other horses. Commissioner Choper asked if there were similar studies with a larger number of horses. Dr Arthur said CHRB was working on a mechanism to collect equine medical record data to allow it to conduct such a study. Chairman Winner asked if the grading was subjective. Dr. Arthur stated the grading was very reproducible between inspectors. 2nd Vice-Chairman Rosenberg asked if there were any studies that showed the use of Lasix made horses faster. Dr. Arthur said there were both statistical analysis studies and lab experiments that showed the use of Lasix made horses faster. He said many trainers publicly supported phasing out the use of Lasix, and once it was seen as having an effect on their bottom line, associations would be in support as well. Commissioner Beneto stated horses were still beating track records; if

performance enhancing drugs were taken away and the horses slowed down, there would be fewer breakdowns. Alan Balch, of the California Thoroughbred Trainers, stated the Board should have had some sort of documentation on what Dr. Arthur was presenting to allow for a prepared rebuttal. He said there needed to be a consensus on the difference between a therapeutic medication and a performance enhancing drug. Mr. Balch said linking speed to medications was entirely wrong; the speed of horses was dependant on many factors. Chairman Winner stated in time the issue would go before the proper committee for proper discussion and debate; the item was merely an opportunity for Dr. Arthur to speak on the issue. Mr. Balch stated the public's first impression was very important; all sides should have an equal opportunity. Chairman Winner stated the item was listed on the agenda. Mr. Balch stated it was listed as a report on race day Lasix, not as a one sided history of the issue. 2nd Vice-Chairman Rosenberg stated the item was important enough to be heard by the full Board, or at least the Board should be given a guarantee that the item would come before the Board after being heard at the committee level. Commissioner Auerbach stated many trainers on both sides of the Lasix debate agreed no matter which way the issue went it needed to be put to rest. The longer it was drawn out the more damage it did to the industry. Joe Morris, of the Thoroughbred Owners of California, stated the movement towards adoption of the uniform medication guidelines was a great boost to the industry. It was the industry's responsibility to make sure the debate over Lasix did not derail that process. John Bucalo, representing himself, spoke on the negative impact of drugs on horseracing, how the horses were overworked without enough rest, and his experiences driving a horse ambulance. John Mulvihill representing himself, asked if Lasix was still used to mask the presence of other illegal drugs. He also asked if certain climates, like San Diego, had an effect on the prevalence of EIPH in racehorses. Dr. Arthur stated there was

international disagreement on the issue of Lasix use to mask drug testing; however, he believed the Lasix dosage allowed in California ensured the urine was not diluted enough to affect testing. He said there was statistical evidence which showed no correlation between EIPH and the location of the horses.

MEETING ADJOURNED AT 12:30 P.M.

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

Chairman

Executive Director

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 24, 2014
REGULAR BOARD MEETING

There is no board package material for Item 2

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 24, 2014
REGULAR BOARD MEETING

There is no board package material for Item 3

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD
ON THE NOMINATION OF MEMBERS TO THE
BOARD OF DIRECTORS OF THE
CALIFORNIA THOROUGHBRED HORSEMEN'S FOUNDATION, INC.

Regular Board Meeting
September 24, 2014

ISSUE

The CTHF has nominated five individuals for open board member positions. The five nominations will bring the CTHF board to a total of nine members, which is the maximum under the provisions of Rule 2049. In accordance with Rule 2049(a) the nominations have been submitted to the CHRB for approval.

The following individuals were nominated for a two-year term, which will expire on June 30, 2016:

Joe Morris, Licensed Thoroughbred Owner
Victor Levine, MD – Serving a second term
Angie Carmona
Calvin Rainey

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper for it to carry out the purposes of the Horse Racing Law. Business and Professions Code section 19641 states that any redistributable money in a pari-mutuel pool subject to payment to a claimant pursuant to section 19598, but not successfully claimed within that period, shall be paid as specified, and an estimated payment equal to 20 percent of the preceding year's unclaimed redistributable money shall be distributed to the welfare fund as specified. Board Rule 2049, Designation and Approval of Horsemen's Welfare Fund, sets forth the requirements for the establishment and designation of a charitable corporation to administer the horsemen's welfare fund for the benefit of horsemen. Rule 2049 requires that the charitable corporation have a minimum of five, and a maximum of nine directors who are subject to Board approval. At least 40 percent of the directors must have no financial interest in horse racing as a licensed horse owner, trainer, or assistant trainer. Additionally, they may not be current members of the horsemen's organization.

The California Thoroughbred Horsemen's Foundation (CTHF) is a self-administered charitable program dedicated to assisting financially needy backstretch workers and their primary dependents. The CTHF offers medical and dental care; prescriptions; eye testing and glasses; financial aid; social programs; free clothing and household items. The CTHF also provides services and support through the California Thoroughbred Trainers, the Winners Foundation and the Chaplaincy program. The CTHF is regulated by the CHRB and is funded principally through the receipt of unclaimed winning pari-mutuel ticket revenues. Additionally, donations and

support are received from thoroughbred tracks, the Thoroughbred Owners of California and individual donors.

RECOMMENDATION

This item is presented for Board discussion and action.

Staff recommends the Board approve the nominations as submitted.

CALIFORNIA THOROUGHBRED HORSEMEN'S FOUNDATION, INC.

"Assisting Horsemen in Need"

July 11, 2014

KEN SMOLE
President

DAVID NAFTZGER
Vice President

VICTOR LEVINE, M.D.
Secretary

Board of Directors

ROBERT BEAN
JOHN GARCIA
JORGE GUTIERREZ
ED HALPERN
VICTOR LEVINE, M.D.
DAVID NAFTZGER
JOSH RUBINSTEIN
KEN SMOLE
AMY ZIMMERMAN

In Memoriam

NOBLE THREEWITT

Director Emeritus

LEONARD DÖRFMAN

KEVIN BOLLING
Executive Director

ROBERT FORGNONE
Counsel

Rick Baedeker
Executive Director
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Dear Mr. Baedeker,

During the June Board of Directors' meeting of the California Thoroughbred Horsemen's Foundation, Inc., nominations were held for open board member positions. The following individuals were nominated for a two-year term, expiring June 30, 2016:

| | |
|-------------------|--|
| Joe Morris | Licensed Thoroughbred Owner |
| | President of Thoroughbred Owners of California, with past racing experience at Golden Gate Fields, NTRA in Kentucky, and the Thoroughbred Times. |
| Victor Levine, MD | Serving a second term |
| | Board Certified in Emergency Medicine, practicing for over 36 years, at the county hospital for Riverside, California. |
| Angie Carmona | |
| | Deputy Director and Board Secretary of the California Thoroughbred Trainers, with over 30 years of experience in California racing. |
| Calvin Rainey | |
| | Vice President of Golden Gate Fields, starting working in racing as a Hot Waiker at Belmont Park at the age of sixteen. |

Pursuant to Rule 2049(a) of the California Horse Racing Board Rules and Regulations, the nominations are submitted to the CHRB for approval. These nominations bring the board to a total of nine members.

Please let me know if there is anything we can do to assist in the process. I look forward to hearing from you.

Sincerely,

Kevin Bolling
Executive Director

CALIFORNIA HORSE RACING BOARD
TITLE 4, CALIFORNIA CODE OF REGULATIONS
ARTICLE 23. CHARITY FOUNDATIONS AND WELFARE FUNDS
RULE 2049 DESIGNATION AND APPROVAL OF HORSEMEN'S WELFARE FUND

Regular Board Meeting
September 24, 2014

2049. Designation and Approval of Horsemen's Welfare Fund.

The horsemen's organization acknowledged by the Board under Rule 2040 of this division shall establish a charitable corporation to administer its welfare fund for the benefit of horsemen. The charitable corporation shall register with the Registry of Charitable Trusts and be in compliance with the provisions of the Uniform Supervision of Trustees for Charitable Purposes Act (Government Code Sections 12580 et seq.). The Board shall designate the charitable corporation as the "welfare fund" for the purposes intended under Section 19641(b) of the Business and Professions Code (B&P Code); if:

(a) The charitable corporation shall have a minimum of five and a maximum of nine directors or trustees who are subject to Board approval. The charitable corporation may not be a subsidiary or division of the horsemen's organization. The directors or trustees of the charitable corporation may be common directors of the horsemen's organization if at least forty percent of the directors or trustees of the charitable corporation have no financial interest in horse racing as a licensed horse owner, trainer, or assistant trainer and are not a current member of the horsemen's organization. The charitable corporation shall select at least one director or trustee without financial interest in horse racing pursuant to B&P Code Section 19641.2(c). The term of a director or trustee is two years. A director or trustee may serve succeeding terms.

(b) The charitable corporation shall establish its fiscal year to be July 1 through June 30 and shall establish a principal office for the conduct of its activities and as the repository for its records.

Its records shall be open to inspection by the Board during normal business hours. The corporation shall publish a report of its activities biennially.

(c) The directors or trustees shall appoint an administrator of the welfare fund who shall procure a license from the Board and perform the duties directed by the directors or trustees.

(d) The directors or trustees shall establish a constitution or bylaws setting forth criteria for eligibility of the beneficiaries of the various programs and activities to be funded under Section 19641(b) of the B&P Code and submit to the Board on or before October 31 of each year a proposed schedule of expenditures from the fund for the next fiscal year specifying therein the categories, programs or activities for which funds will be expended.

Authority: Section 19440,
Business and Professions Code.

Reference: Sections 19641 and 19641.2,
Business and Professions Code;
Section 9.00, Chapter 324,
Statutes of 1983 (Budget Act of 1983).

STAFF ANALYSIS
September 24, 2014

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE DEL MAR THOROUGHBRED CLUB AT DEL MAR NOVEMBER 5, 2014 THROUGH NOVEMBER 30, 2014.

- Del Mar Thoroughbred Club was allocated four weeks of racing in November that were traditionally part of the Hollywood Park race meeting. This will be a new race meeting for Del Mar.

Del Mar Thoroughbred Club filed its application to conduct a thoroughbred horse racing meeting at Del Mar:

- November 5 through November 30, 2014, or 15 days. The association proposes to race a total of 129 races, or 8.6 races per day. The (estimated) average daily purse for this meeting is \$497,279. Del Mar will simulcast only on November 5, and 6 and begin live racing November 7, 2014.
- The race dates proposed are the dates allocated by the Board.

| November - 2014 | | | | | | |
|-----------------|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

- Racing 4 days per week, Thursday through Sunday, with 8 races per day Thursdays, and Fridays; and 9 races per day Saturdays, Sundays, Opening Day, and Closing Day.
- Racing concurrently with the dates allocated to the Pacific Racing Association.
- First post will be:
 - 12:30 p.m. Thursdays, and Fridays
 - 12:00 noon Saturdays, and Sundays
 - 11:00 a.m. Thanksgiving, November 27, 2014
- Wagering program will use CHRB and ARCI rules.
 - Early wagering will be between 9:00 a.m. and 10:00 a.m. every live race day.
 - \$0.50 Pick 4 will be offered on the last four races daily.
 - \$2 Daily Double will be offered on all daily races, with the exception of the last race, and offer a 20% takeout.
 - \$0.50 Pick (n) Pool (Pick 5) wager will be offered on the first five races each day and offer a 14% takeout.

- Del Mar Thoroughbred Club, in cooperation with Thoroughbred Owners of California and via Monarch Content Management, LLC, has signed agreements in place with the following national Advance Deposit Wagering (ADW) companies: TVG, Xpressbet, Twin Spires, Bet America, and Watch and Wager for Internet wagering.

Pursuant to Business and Professions Code section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of Business and Professions Code section 19604

To accept wagers on races conducted in California from a resident of California.

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

To accept wagers on races conducted outside of California from a resident of California.

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

Documents received in compliance with Business and Professions code 19604:

- ODS Technologies, L.P. dba TVG Network has submitted all documents required in compliance with Business and Professions Code section 19604.
- XpressBet, LLC, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Churchill Downs Technology Initiatives Company, dba TwinSpires, has submitted all documents required in compliance with Business and Professions Code section 19604.
- WatchandWager.com, LLC, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Lien Games Racing, LLC, dba Bet America, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Inspection of backstretch worker housing has been requested and will be completed before the beginning of the race meeting.
- A track safety inspection has been requested and will be completed before the beginning of the race meeting.
- At the April 2014 Regular Board Meeting Del Mar Thoroughbred Club was granted a waiver of Rule 1472, Rail Construction and Track Specifications, subsections (b), and (g). The waiver allowed for the installation of the Mawsafe rail system on the **outside** rail at the Del

Mar turf course. At the April 2013 Regular Board Meeting Del Mar Thoroughbred Club was granted a waiver of Rule 1472, subsections (b), (c) and (e). The 2013 waiver allowed for the installation of the Mawsafe rail system on the **inside** rail at the Del Mar turf course. The Mawsafe rail system is composed of high impact strength, high UV resistant poly vinyl chloride post and rail components.

Specific information **still needed** to complete this application includes:

1. TOC agreement (noted in the application as in negotiations)
2. CTT agreement (noted in the application as in negotiations)
3. Racing officials listed as to be determined:
 - Assistant Clerk of Scales
 - Clerk of the Course
 - Horse Identifier
 - 2 of 3 Patrol Judges
 - One Placing Judge

RECOMMENDATION

If the application is considered for approval, staff recommends a contingent approval upon the submission of outstanding items.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT ASSOCIATION

A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person:

Del Mar Thoroughbred Club
P.O. Box 700, Del Mar, CA 92014
Phone: 858-755-1141
Fax: 858-794-1007
Josh Rubinstein: josh@dmtc.com

B. Breed of horse: TB QH H

C. Racetrack name: **Del Mar Thoroughbred Club (DMTC)**

D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to Business and Professions Code section 19490.

On File

E. Was the association licensed to operate a race meeting prior to January 1, 2001?

Yes No

If no, attach a surety bond in the amount of one hundred thousand dollars.

NOTICE TO APPLICANT: No application for a license to conduct a race meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of one hundred thousand dollars (\$100,000), or a greater amount, as determined by the board, which is sufficient to ensure payment of employee wages and benefits including, but not limited to, health, welfare, and pension plans. The surety bond shall be maintained during the period of the meeting and for an additional period, as determined by the board, sufficient to assure that all payments are made. This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years. The \$100,000 surety bond amount maybe increased to an amount determined by the Board at the time the application is scheduled for hearing pursuant to Business and Professions Code section 19464(b).

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF RACE MEETING

A. Inclusive dates allocated for the entire meeting: **November 5 through November 30, 2014**

B. Actual dates racing will be held: **November 7 through November 30, 2014, everyday except Mondays, Tuesdays and Wednesdays. Dark 11/10-11-12, 11/17-18-19, 11-24-25-26.**

C. Total number of days or nights of racing: **15 days**

CHRB CERTIFICATION

Application received: 8-7-14 *JP*
Deposit received: 8-7-14
Reviewed: 9-5-14

Hearing date: 9-24-14
Approved date:
License number:

- D. Days or nights of the week races will be held:
 Wed - Sun Tues - Sat Other (specify)

Racing Thursdays through Sunday (with exception of Opening Week which will be Friday through Sunday.)

- E. Number of days or nights of racing per week:
4 (except week 1 with 3 days)

3. RACING PROGRAM

- A. Total number of races: 129

- B. Number of races for each day or night:

| DAY | DATES | NUMBER OF RACES |
|------------------|---------------------------|-----------------|
| THURS- 8 Races | 11/13, 11/20 | 16 |
| FRI - 8 Races | 11/14, 11/21, 11/28 | 24 |
| SAT - 9 Races | 11/8, 11/15, 11/22, 11/29 | 36 |
| SUN - 9 Races | 11/9, 11/16, 11/23 | 27 |
| Thanksgiving Day | 11/27 | 8 |
| OPENING DAY | 11/7 | 9 |
| CLOSING DAY | 11/30 | 9 |
| | | |

TOTAL **129**

***DMTC reserves the right to change number of races based on horse availability**

- C. Total number of stakes races: 14 (12 stakes and 2 overnight stakes)
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.
Exhibit 1
- E. Will provisions be made for owners and trainers to use their own registered colors?
 Yes No If no, what racing colors are to be used:
- F. List all post times for the daily racing program: **Exhibit 2**

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to Business and Professions Code section 19568(b).

EXHIBIT 1

2014 Proposed Del Mar FALL Stakes Schedule

| Running Date | # | Event | Distance | 2013 Value | 2014 Value |
|-------------------|----|---|---|---------------------|-----------------------------------|
| Sun. Nov 09, 2014 | 1 | BETTY GRABLE STAKES (Cat's Cradle) | Fillies and mares, three years old and upward, bred in CA | Seven Furlongs | \$100,000.00 \$100,000 Guaranteed |
| Sat. Nov 15, 2014 | 2 | BOB HOPE STAKES (Gr. III) (Hollywood Prevue) | Two-year-olds | Seven Furlongs | \$100,000.00 \$100,000 Guaranteed |
| Sun. Nov 16, 2014 | 3 | DESI ARNAZ STAKES (Moccasin Stakes) | Fillies, two years old | Seven Furlongs | \$100,000.00 \$100,000 Guaranteed |
| Sat. Nov 22, 2014 | 4 | RED CARPET STAKES (Gr. III) (Beverly Hills H.) | Fillies and mares, three years old and upward | 1 3/8 Miles (Turf) | \$100,000.00 \$100,000 Guaranteed |
| Sun. Nov 23, 2014 | 5 | CARY GRANT STAKES (On Trust Stakes) | Three-year-olds and upward, bred in CA | Seven Furlongs | \$100,000.00 \$100,000 Guaranteed |
| Thu. Nov 27, 2014 | 6 | HOLLYWOOD TURF CUP (Gr. II) | Three-year-olds and upward | 1 1/2 Miles (Turf) | \$250,000.00 \$250,000 Guaranteed |
| Fri. Nov 28, 2014 | 7 | SEABISCUIT HANDICAP (Gr. II) (Citation H.) | Three-year-olds and Upward | 1 1/16 Miles (Turf) | \$250,000.00 \$250,000 Guaranteed |
| Sat. Nov 29, 2014 | 8 | JIMMY DURANTE STAKES (Gr. III) (Miesque Stakes) | Fillies; two years old | One Mile (Turf) | \$100,000.00 \$150,000 Guaranteed |
| Sat. Nov 29, 2014 | 9 | NATIVE DIVER HANDICAP (Gr. III) | Three-year-olds and upward | 1 1/8 Miles | \$100,000.00 \$200,000 Guaranteed |
| Sat. Nov 29, 2014 | 10 | HOLLYWOOD DERBY (Gr. I) | Three-year-olds | 1 1/8 Miles (Turf) | \$250,000.00 \$300,000 Guaranteed |
| Sun. Nov 30, 2014 | 11 | CECIL B. DeMILLE STAKES (Gr. III) (Generous) | Two-year-olds | One Mile (Turf) | \$100,000.00 \$150,000 Guaranteed |
| Sun. Nov 30, 2014 | 12 | MATRIARCH STAKES (Gr. I) | Fillies and mares, three years old and upward | One Mile (Turf) | \$250,000.00 \$300,000 Guaranteed |

2014 Proposed Del Mar FALL Overnight Stakes Schedule

| Running Date | # | Event | Distance | 2013 Value | 2014 Value |
|-------------------|------|-----------------------|---|-----------------|-------------------|
| Fri. Nov 07, 2014 | ON-S | Kathryn Crosby Stakes | Fillies and mares, three years old and upward, N/W S/S of \$50,000 at 1 M o/o since April 1 | One Mile (Turf) | NA \$70,000 Added |
| Sat. Nov 08, 2014 | ON-S | Double O Seven Stakes | Three-year-olds, N/W S/S of \$50,000 at 1 M o/o since April 1 | One Mile (Turf) | NA \$70,000 Added |

EXHIBIT 1

HOLLYWOOD PARK FALL MEETING
2013 PROPOSED STAKES SCHEDULE

| <u>DATE</u> | <u>STAKE</u> | <u>PURSE/DISTANCE</u> |
|------------------|--|--|
| Sat. Nov. 9 | MOCCASIN STAKES Fillies, Two Years Old | \$100,000 Seven Furlongs |
| Sun. Nov. 10 | HOLLYWOOD PREVUE STAKES (GRADE III) Two Year Olds | \$100,000 Seven Furlongs |
| Sat. Nov. 16 | SHARP CAT STAKES Fillies, Two Years Old | \$100,000 One Mile & One Sixteenth |
| Sun. Nov. 17 | CAT'S CRADLE HANDICAP <i>A Golden State Series Race</i> Fillies & Mares, Three Year Olds & Upward, Cal-Bred | \$100,000 * Seven and One Half Furlongs |
| Sat. Nov. 23 | REAL QUIET STAKES Two Year Olds | \$100,000 One Mile & One Sixteenth |
| Sun. Nov. 24 | ON TRUST HANDICAP <i>A Golden State Series Race</i> Three Year Olds & Upward, Bred in California | \$100,000 * Seven and One Half Furlongs |
| Thur. Nov. 28 | VERNON O. UNDERWOOD (GRADE III) Three Year Olds & Upward | \$100,000 Six Furlongs |
| Fri.. Nov. 29 | CITATION HANDICAP (GRADE II) Three Year Olds & Upward | \$250,000 One Mile and One Sixteenth (Turf) |
| Sat. Nov. 30 | MIESQUE STAKES (GRADE III) Fillies, Two Years Old | \$100,000 One Mile (Turf) |
| Sat. Nov. 30 | GENEROUS STAKES (GRADE III) Two Year Olds | \$100,000 One Mile (Turf) |
| Sun. Dec. 1 | HOLLYWOOD DERBY (GR. I) Three Year Olds | \$250,000 One Mile and One Quarter (Turf) |
| | THE MATRIARCH (GRADE I) Fillies & Mares, Three Year Olds & Upward | \$250,000 One Mile (Turf) |
| Sat. Dec. 7 | HOLLYWOOD STARLET (GRADE I) Fillies, Two Years Old Nominations Friday, May 14, 2012 | \$500,000 Guaranteed One Mile and One Sixteenth |
| | BAYAKOA STAKES (GRADE II) Fillies & Mares, Three Year Olds & Upward | \$150,000 One Mile and One Sixteenth |
| Sun. Dec. 8 | HOLLYWOOD TURF EXPRESS Three Year Olds & Upward | \$100,000 Six Furlongs (Turf) |

| | | |
|-----------------|---|--|
| Sat. Dec. 14 | CASHCALL FUTURITY (GRADE I) Two Year Olds <i>Sponsored by CashCall</i> Nominations Friday, May 14, 2012 | \$750,000 Guaranteed One Mile and One Sixteenth |
| | HOLLYWOOD TURF CUP (GII) Three-Year-Olds & Upward | \$250,000 One and One Half Miles (Turf) |
| | NATIVE DIVER STAKES (GRADE III) Three Year Olds & Upward | \$150,000 One Mile and One Eighth |
| Sun. Dec. 15 | PLAYA DEL REY STAKES Fillies & Mares, Three Year Olds & Upward | \$100,000 Six Furlongs |
| Sat. Dec. 21 | SOVIET PROBLEM STAKES <i>A Golden State Series Race</i> Fillies, Two-Years-Old, Bred in California | \$200,000 Seven Furlongs |
| Sun. Dec. 22 | KING GLORIOUS STAKES <i>A Golden State Series Race</i> Two-Year-Olds, Bred in California | \$200,000 Seven Furlongs |

* Includes \$15,000 from the Cal-Bred Fund

EXHIBIT 2

POST TIMES FOR PROPOSED DAILY RACING PROGRAM

2014 – FALL MEET
NOVEMBER 7TH TO NOVEMBER 30TH

| Race | Thursdays and Fridays | Saturdays and Sundays | Thursday, Thanksgiving 11/27 |
|--------------------|-----------------------------|-----------------------------|------------------------------------|
| 1 st | 12:30 p.m. | 12:00 noon | 11:00 a.m. |
| 2 nd | 1:00 p.m. | 12:30 p.m. | 11:30 a.m. |
| 3 rd | 1:30 p.m. | 1:00 p.m. | 12:00 noon |
| 4 th | 2:00 p.m. | 1:30 p.m. | 12:30 p.m. |
| 5 th | 2:30 p.m. | 2:00 p.m. | 1:00 p.m. |
| 6 th | 3:00 p.m. | 2:30 p.m. | 1:30 p.m. |
| 7 th | 3:30 p.m. | 3:00 p.m. | 2:00 p.m. |
| 8 th | 4:00 p.m. | 3:30 p.m. | 2:30 p.m. |
| 9 th * | | 4:00 p.m. | |
| 10 th * | | 4:30 p.m. | |

* On certain days to be determined.

4. RACING ASSOCIATION

- A. Association is a: Corporation (complete subsection C)
 LLC (complete subsection D)
 Other (specify, and complete subsection E)

- B. Complete the applicable subsection and attached Addendum, Background Information and Ownership.

Full Disclosure Statement already on file with CHRB

C. CORPORATION

1. Registered name of the corporation: **Del Mar Thoroughbred Club**
2. State where incorporated: **California**
3. Registry or file number for the corporation: **559096**
4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:

| | | |
|---------------------|--|---------|
| David H. Batchelder | Chairman of the Board | 1 Share |
| Joseph W. Harper | Director, President, General Manager & CEO | 1 " |
| Rollin W. Baugh | Director | 1 " |
| James R. Buell | Director | 1 " |
| Jon S. Kelly | Director | 1 " |
| Warner Lusardi | Director | 1 " |
| Marie G. Moretti | Director | 1 " |
| Martin J. Wygod | Director | 1 " |
| Michael R. Ernst | Executive VP, Finance and Admin./CFO | 0 |
| Thomas S. Robbins | Executive VP, Racing & Industry Relations | 0 |
| Craig A. Dado | Executive VP, Chief Marketing Officer | 0 |
| Josh Rubinstein | Executive VP, Chief Operating Officer | 0 |
| Lynn Wright | VP and Controller | 0 |
| Robert Sanchez | VP, Plant | 0 |
| Tim Read | VP, Operations and Collective Bargaining | 0 |
| Ann Hall | VP, Human Resources / Administration | 0 |

5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
None

6. Number of outstanding shares in the corporation: **8**

7. Are the shares listed for public trading? Yes No

If yes, on what exchange and how is the stock listed:

8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Michael R. Ernst**
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **None**

- A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F.

If yes, answer questions 10-17. Yes No

10. Registered name of the corporation: **NA**
11. State where incorporated: **NA**

12. Registry or file number for the corporation: NA
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each: NA
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: NA
15. Number of outstanding shares in the corporation: NA
16. Are the shares listed for public trading? NA Yes No
If yes, on what exchange and how is the stock listed: NA
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: NA

D. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each:
5. Are the shares listed for public trading? Yes No
If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
 - A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes No
7. Registered name of the LLC/Corporation:
8. State where articles of organization are filed:
9. Registry or file number for the LLC:
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each:
11. Are the shares listed for public trading? Yes No
12. If yes, on what exchange and how the stock is listed:

E. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.

F. FINANCIAL INFORMATION *

1. Attach the most recent audited annual financial statement or financial report for the applicant. The financial statement or financial report shall include all relevant financial information specific to the applicant including: **On file.**
 - Statement of Financial Position: also referred to as a balance sheet. Statement should report on applicant's assets, liabilities, contingent liabilities and ownership equity as of the date of the prepared statement.

- Statement of Comprehensive Income: also referred to as Profit and Loss (“P&L”) Statement. Statement should include report on applicant’s income, expenses, and profits.
- Profit and Loss statement for prior two years race meeting and Profit and Loss statement for projected year race meeting.
- Statement of Changes in Equity: to include the changes of the applicants’ equity through the reporting period.
- Statement of Cash Flows: to include a report of the applicant’s cash flow activity, particularly its operating investing and financing activities during the reporting period.
- Copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

***NOTICE TO APPLICANT:** The financial information provided pursuant to subsection (F) above is exempt from disclosure pursuant to Government Code section 6254(k) and non-disclosable to the public.

G. MANAGEMENT AND STAFF

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program:

| | |
|---------------------------|---|
| Michael R. Ernst | Executive VP, Finance and Administration/CFO |
| Thomas S. Robbins | Executive VP, Racing & Industry Relations |
| Craig A. Dado | Executive VP, Chief Marketing Officer |
| Josh Rubinstein | Executive VP, Chief Operating Officer |
| Timothy A. Read | Vice President, Operations & Collective Bargaining |
| Ann Hall | Vice President, Human Resources & Administration |
| David Jerkens | Racing Secretary |
| Mac McBride | Director of Media |
| Daniel G. Smith | Senior Media Supervisor |
| Lynn Wright | Vice President, Controller |
| Jacquelyn King | Director of Group Sales |
| Paul Porter | Director of Simulcasting and Racetrack Services |
| Walker McBride | Director of Sponsorship and Digital Media |
| William D. Navarro | Director of Parimutuels |
| Nancy Bonforte | Director, Turf Club |
| Robert Sanchez | Vice President, Plant |
| Kim Jacobson | Director of Risk Management |
| Trevor Denman | Public Address Announcer |
| Rich Tedesco | Track Superintendent |
| Leif Dickinson | Turf Course / Grounds Superintendent |
| Chris Bahr | Director of Events and Promotions |
| Greg Baugh | Customer Service Manager |

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s).

Joseph W. Harper – President, General Manager & Chief Executive Officer
PO Box 700, Del Mar, CA 92014 / joeh@dmtc.com

5. TAKE OUT PERCENTAGE

1. If this is a thoroughbred race meeting, will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes No

Wager(s) to be adjusted: **Pick Five and Rolling Doubles**
 Proposed percentage: **14% takeout (Pick Five)**
20% takeout (Rolling Doubles)

- A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the thoroughbred association and the horsemen's organization for the meeting of the thoroughbred association accepting the wager. **Exhibit 3**

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

6. HANDLE HISTORY

1. Complete the table below providing the last five years of handle and attendance for your racing association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation. If the racing association has changed ownership include the handle information for the previous racing association. **N/A**

| Year | On-Track Handle | Off-Track Handle | On-Track Attendance | Off-Track Attendance |
|--------------|-----------------|------------------|---------------------|----------------------|
| 2014 Fall | Initial Meet | Initial Meet | Initial Meet | Initial Meet |



Josh Rubinstein
Executive Vice President &
Chief Operating Officer

August 3, 2014

Ms. Jackie Wagner
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Ms. Wagner,

Pursuant to California Business and Professions Code Section 19601.01, Del Mar Thoroughbred Club ("DMTC"), after consultation with the Thoroughbred Owners of California (TOC), is hereby requesting takeout as set forth below to be offered during DMTC's 2014 Fall Season, November 7th – November 30th.

- Pick Five and Rolling Doubles
Proposed Percentage: 14% (Pick Five)
 20% (Rolling Doubles)

For reference, the Take Out Percentage/Pick Five and Rolling Doubles are noted on DMTC's license application in Section 9A.

Please contact me directly if you have any questions.

Regards,

Josh Rubinstein
Executive Vice President and
Chief Operating Officer

cc: Joe Harper
Mike Ernst
Joe Morris, TOC

EXHIBIT 3 (CONTINUED)



August 6, 2014

OFFICERS

MIKE PEGRAM
CHAIR
BILL STRAUSS
VICE CHAIR, SOUTHERN CA.
JACK OWENS
VICE CHAIR, NORTHERN CA.
NICK ALEXANDER
SECRETARY/TREASURER
MIKE HARRINGTON
AT LARGE
ED MOGER
AT LARGE

Ms. Jackie Wagner
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

RE: Del Mar Thoroughbred Club 2014 Fall Race Meet

Dear Ms. Wagner,

Del Mar Thoroughbred Club (DMTC) has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of the "Players Pick-5" wager on the first five (5) races of the day, subject to a 14% takeout, on each racing day of its 2014 Fall meet, November 5 - December 3, 2014. The TOC agrees to such a wager based upon the same terms and conditions as it was offered at Del Mar's previous meet.

Please feel free to contact me with any questions.

DIRECTORS

BOB BAFFERT
JIM CAHILL
MARK DEDOMENICO
RON ELLIS
TERRY LOVINGIER
WILLIAM E. MOREY
GEORGE TODARO
KATHY WALSH
MICHAEL WELLMAN

Sincerely,

Joe Morris
President

EXECUTIVE STAFF

JOE MORRIS
PRESIDENT
KELLE BREEN
CHIEF FINANCIAL OFFICER
MARY FORNEY
DIRECTOR OF OPERATIONS
RICHARD SCHEIDT
NO. CA. DIRECTOR OF
OPERATIONS

cc: Josh Rubenstein

CHAIRS EMERITUS

ED FRIENDLY (1996-97)
ROBERT B. LEWIS (1997-2001)
GARY BURKE (2001)
JACK B. OWENS (2001-03, 04-05,
2011)
RON CHARLES (2003-04)
ALAN LANDSBURG (2005-07)
MARSHA NAIFY (2007-10)
ARNOLD ZETCHER (2010-11)

CORPORATE OFFICE

285 W. HUNTINGTON DRIVE
ARCADIA, CA 91007
T: 626-574-6620
F: 626-821-1515
WWW.TOCONLINE.COM

EXHIBIT 3 (CONTINUED)



August 6, 2014

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Ms. Jackie Wagner
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

RE: Del Mar Thoroughbred Club 2014 Fall Race Meet

Dear Ms. Wagner,

Del Mar Thoroughbred Club (DMTC) has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of "Rolling Doubles" wagers, subject to a 20% takeout, on each racing day of its 2014 Fall meet, November 5 - December 3, 2014. The TOC agrees to such a wager.

Please feel free to contact me with any questions.

Sincerely,

Joe Morris
President

cc: Josh Rubenstein

7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships and starter fees.):

A. Purse distribution:

1. All races other than stakes:

| | |
|------------------------|-----------|
| Current meet estimate: | 4,703,608 |
| Prior meet actual: | N/A |

| | |
|--|---------|
| Average Daily Purse (7 A1 ÷ number of days): | |
| Current meet estimate: | 313,574 |
| Prior meet actual: | N/A |

2. Overnight stakes:

| | |
|------------------------|---------|
| Current meet estimate: | 140,000 |
| Prior meet actual: | N/A |

| | |
|--|-------|
| Average Daily Purse (7 A2 ÷ number of days): | |
| Current meet estimate: | 9,333 |
| Prior meet actual: | N/A |

3. Non-overnight stakes:

| | |
|------------------------|-----------|
| Current meet estimate: | 1,850,000 |
| Prior meet actual: | N/A |

| | |
|--|---------|
| Average Daily Purse (7 A3 ÷ number of days): | |
| Current meet estimate: | 123,333 |
| Prior meet actual: | N/A |

4. Total Purses: (7A1+7A2+ 7A3)

| | |
|------------------------|-----------|
| Current meet estimate: | 6,693,608 |
| Prior meet actual: | N/A |

B. California-bred Stakes Races:

1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:

| | |
|------------------------|-------|
| Current meet estimate: | 10.0% |
| Prior meet actual: | N/A |

| | |
|--|-------|
| Average Daily Purse (7 B1 ÷ number of days): | |
| Current meet estimate: | 0.67% |
| Prior meet actual: | N/A |

C. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):

Current meet estimate: 566,917
 Prior meet actual: N/A

D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

| | Current meet estimate: | Prior meet actual: |
|-------------------------|------------------------|--------------------|
| TOC Administration | 56,760 | N/A |
| CTT Administration | 28,380 | N/A |
| CTBL Workers' Comp | 56,760 | N/A |
| CTT Backstretch Pension | <u>56,760</u> | N/A |
| Total | 198,660 | |

E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (7 A+7 C+7 D):

Current meet estimate: 7,459,185
 Prior meet actual: N/A

Average Daily Purse (7 E ÷ number of days):

Current meet estimate: 497,279
 Prior meet actual: N/A

F. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s):

Current meet estimate: 4,655,626
 Prior meet actual: N/A

Average Daily Purse (7 F ÷ number of days):

Current meet estimate: 310,375
 Prior meet actual: N/A

G. Purse funds to be generated from interstate handle:

Current meet estimate: 2,395,258
 Prior meet actual: N/A

Average Daily Purse (7 G ÷ number of days):

Current meet estimate: 159,684
 Prior meet actual: N/A

H. Bank and account number for the Paymaster of Purses' purse account:

Bank of America, 450 B Street Suite 1500, San Diego CA 92101, Account # on-file

I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meet:

Bowen, McBeth, Inc., 10722 Arrow Route, Suite 110, Rancho Cucamonga, CA 91730 (909) 944-6465

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, shall not be deemed as income to the association; shall not be transferred to a parent corporation outside the State of California; and shall, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of underpayment of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

8 STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: 700
- B. Minimum number of stalls believed necessary for the meeting: 700
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: 3,095

D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:

| | |
|----------------------|-------|
| • Santa Anita | 1,900 |
| • Los Alamitos | 700 |
| • San Luis Rey Downs | 495 |

- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.
Agreement is on file with CHRB

Complete subsections F through H if the association will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the 1986 meeting, pursuant to Business and Professions Code section 19535(c): 2,100
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall:
 \$706,150
 \$9.13 cost per day per stall

H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:

Estimated vanning cost: \$222,000

| | |
|------------------------------|-------|
| Vanning per horse (one way): | |
| Santa Anita | \$160 |
| Pomona | \$160 |
| Los Alamitos | \$160 |
| San Luis Rey Downs | \$ 90 |

9 PARI-MUTUEL WAGERING PROGRAM

A. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, associations may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

| | Type of Wager(s): | Applicable Rule(s): |
|---------------|---|---|
| Example Race: | \$5E, \$2DD | CHRB#1959; RCI #VE |
| Race #1 | \$2Q, \$1E, \$1PK3, \$2DD ² , \$1 PPN, \$1TRI, .10¢SF, .50¢PNP (Pick 5) ³ | CHRB#1958, 1959, 1977, 1957, 1976.8, 1954.1, 1979, 1979.1, 1976.9 |
| Race #2 | \$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2DD ² , .50¢PNP (Pick 5) ³ | CHRB#1958, 1959, 1977, 1954.1, 1979, 1979.1, 1957, 1976.9 |
| Race #3 | \$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2P(n)P (Pick 6), \$2DD ² , .50¢PNP (Pick 5) ³ | CHRB#1958, 1959, 1977, 1954.1, 1979, 1979.1, 1976.9, 1957 |
| Race #4 | \$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2DD ² , .50¢PNP (Pick 5) ³ | CHRB#1958, 1959, 1977, 1954.1, 1979, 1979.1, 1957, 1976.9 |
| Race #5 | \$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2DD ² , .50¢PK4 ¹ , .50¢PNP (Pick 5) ³ | CHRB#1958, 1959, 1977, 1954.1, 1979, 1979.1, 1957, 1978, 1976.9 |
| Race #6 | \$2Q, \$1E, \$1PK3, .10¢SF, \$1TRI, \$2DD ² , .50¢PK4 ¹ | CHRB#1958, 1959, 1977, 1979.1, 1954.1, 1979, 1957, 1978 |
| Race #7 | \$2Q, \$1E, \$1TRI, .10¢SF, \$2DD ² , .50¢PK4 ¹ | CHRB#1958, 1959, 1954.1, 1979, 1979.1, 1957, 1978 |
| Race #8 | \$2Q, \$1E, \$1TRI, .10¢SF, \$2DD ² , .50¢PK4 ¹ , .50¢ SUPER HIGH FIVE | CHRB#1958, 1959, 1979, 1979.1, 1957, 1978, ARCI 004-015 Pick(n) Position(x) Pool(s) |
| Race #9* | \$2Q, \$1E, \$1TRI, .10¢SF, \$2DD ² , .50¢PK4 ¹ | CHRB#1958, 1959, 1979, 1979.1, 1957, 1978 |

Race #10* \$2Q, \$1E, \$1TRI, .10¢SF, .50¢PK4¹,
\$2DD²

CHRB#1958, 1959, 1979, 1979.1, 1978, 1957

¹ .50¢SPK4 offered in the last four races daily.

² \$2DD offered every race daily, except the last race.

³ .50¢PNP (Pick 5) This Players Pick Five wager will begin with the first race each day and offer a 14% takeout.

* Days with 9 or 10 races, the types of wagers offered based on this schedule will be rolled forward or backward accordingly.

B. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **None**

C. List any options requested with regard to exotic wagering: **None**

D. Will "advance" or "early bird" wagering be offered? Yes No
If yes, when will such wagering begin? Specify days and time for "early bird" wagering:
9:00am – 10:00am November 7 through November 30, 2014, every racing day

E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:

**Totalisator Central System
Sportech Racing, LLC Quantum Data Center located in Mt. Laurel, New Jersey
Sportech Racing representative: Tom Kelso
Contract expiration date: April 2015**

Terminals:

BetJet RT2s (teller operated/self service conversion) BetJet SLs (dedicated self service)

IBM PC account wagering terminals

HandStan personal account wagering terminals WalkaBout teller operated portable wagering terminals

10. ADVANCE DEPOSIT WAGERING (ADW)

A. Identify the ADW provider(s) to be used by the association for this race meeting:

DMTC, in cooperation with Thoroughbred Owners of California and via Monarch Content Management, LLC, has signed agreements in place with the following Advance Deposit Wagering (ADW) companies to conduct Internet and telephone wagering from California residents: TVG, Xpress-Bet, Twin Spires, Bet America and Watch and Wager. In addition, several other ADW companies (complete list on file) have access to Del Mar's content for Internet wagering in states for which ADW is approved by law.

B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On file**

C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes No

If yes, attach a copy of the approval. **Exhibit 4**

If no, explain the status of the approval.

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

11. SIMULCAST WAGERING PROGRAM

A. Simulcast organization engaged by the association to conduct simulcast wagering:
Southern California Off Track Wagering, Inc. "SCOTWINC"

B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
SCOTWINC Agreement is on file with CHRB.

C. California simulcast facilities the association proposes to offer its live audiovisual signal:
Exhibit 5

D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:
Exhibit 6

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:
Exhibit 7

F. California mini-simulcast facilities the association proposes to offer its live audiovisual signal:
Exhibit 8

G. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **Exhibit 9**

NOTICE TO APPLICANT: Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

EXHIBIT 4

July 31, 2014



OFFICERS

MIKE PEGRAM
CHAIR
BILL STRAUSS
VICE CHAIR, SOUTHERN CA.
JACK OWENS
VICE CHAIR, NORTHERN CA.
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Mr. Paul Porter
Director of Simulcast & Racetrack Services
Del Mar Thoroughbred Club
2260 Jimmy Durante Blvd.
Del Mar, CA 92014

RE: 2014 Del Mar Fall Race Meet ADW Approvals

Dear Paul,

This is to confirm that Thoroughbred Owners of California, Inc. (TOC) authorizes and agrees that during the Del Mar Thoroughbred Club (DMTC) 2014 summer race meet, November 5 – December 3, 2014, California-licensed ADW providers TVG, Xpressbet and TwinSpires may accept wagers from California residents on races conducted at DMTC and races conducted at tracks located outside of California.

It is TOC's understanding that the compensation rates and fees for this wagering activity are those specified in the separate Account Wagering Agreements entered into as of November 23, 2013 by and between Monarch Content Management, LLC and Xpressbet, LLC, ODS Technologies (TVG) and Churchill Downs Incorporated and the Hub Agreements entered into August 20, 2013 by and between Los Angeles Turf Club, Inc. (Santa Anita) and Xpressbet, LLC, December 17, 2013 by and between Los Angeles Turf Club, Inc. (Santa Anita) and Churchill Downs Technology Initiatives Company (TwinSpires), and January 1, 2014 by and between Del Mar Thoroughbred Club and TVG.

Should you have any questions, please contact me.

Very truly yours,

Joe Morris
President

cc: Tom Varela, Monarch Content Management

Exhibit 5

Satellites

Alameda County Fair, Pleasanton
Antelope Valley Fair, Lancaster
Barona Resort & Casino, Lakeside
Big Fresno Fair, Fresno
Cabazon Fantasy Springs Casino, Indio
California State Fair & Expo, Sacramento
Fairplex Park @ Barretts, Pomona
Fresno Club One, Fresno
Golden Gate Fields, Albany
Hollywood Park Casino, Inglewood
Humboldt County Fair, Ferndale
Los Alamitos Racecourse, Los Alamitos
Monterey County Fair, Monterey
National Orange Show, San Bernardino
San Bernardino County Fair, Victorville
San Joaquin County Fair, Stockton
Santa Clara County Fair, San Jose
Santa Anita Park, Arcadia
Shalimar Sports Center, Indio
Shasta District Fair, Anderson
Solano County Fair, Vallejo
Sonoma County Fair, Santa Rosa
Sports Pavilion, The Farmers Fair, Lake Perris
Stanislaus County Fair, Turlock
Sycuan Resort & Casino, El Cajon
The Jockey Club, San Mateo
Ventura County Fair, Ventura
Viejas Casino & Turf Club, Alpine

Exhibit 6

Am West Entertainment, KY
 Arapahoe Park, Colorado
 Arima Race Course, Trinidad
 Arlington International Race Course, Illinois
 Assiniboia Downs, Canada
 Atlantic City Casino Assn., New Jersey
 Atlantic City Race Course, New Jersey
 Atlantis Resort and Casino, Bahamas
 Atokad Park, South Dakota
 Balmoral Park, Illinois
 Bangor Raceway, Maine
 Barrie Raceway, Ontario
 Batavia Downs, New York
 Belmont Gaming, New Hampshire
 Bet America, LLC, North Dakota
 Bet Fair Games Limited, UK
 Bettor Racing OTB, South Dakota
 Beulah Park, Ohio
 Birmingham Race Course, Alabama
 Bluff Runs Greyhound, Idaho
 Bordertown OTB, Oklahoma
 Buffalo Trotting Association, New York
 Bwin International, Ltd.
 Calder Race Course, Florida
 Caliente, Mexico
 Canterbury Park, Minnesota
 Capital District OTB, New York
 Catskill Regional OTB, New York
 Caymanas Race Track, Jamaica
 Charles Town Races, West Virginia
 Chester Downs - Pennsylvania
 Churchill Downs, Kentucky
 Clinton Teletheatre, Canada
 Club Hipico Inturf, Venezuela
 Coeur d' Alene Casino, Idaho
 Colonial Downs, Virginia
 Columbus Races, Nebraska
 Connecticut OTB, Connecticut
 Corpus Cristi Greyhound, Texas
 Cypress Bayou, Louisiana
 Divi Carina Bay Casino, Louisiana
 Delaware Park, Delaware
 Delta Downs, Louisiana
 Dover Downs, Delaware
 Downs at Albuquerque, New Mexico
 Ebet Online, Oregon
 Elite Turf Club, Curacao
 Ellis Park, Kentucky
 Elmira Raceway, Ontario
 Equus St. Thomas, St. Thomas
 Emerald Downs, Washington
 Euro Offtrack, Isle of Man
 Evangeline Downs, Louisiana
 Evansville/Clarksville OTB, Indiana
 Fair Chance Racing Services, Trinidad
 Fairgrounds Racecourse, Louisiana
 Fair Meadows, Texas
 Fairmount Park, Illinois
 Finger Lakes Race Track, New York
 Flamboro Downs, Ontario
 Fonner Park, Nebraska
 Fort Erie Racetrack, Canada
 Foxwoods Casino, Connecticut
 Fraser Downs, British Columbia
 Freehold Raceway, New Jersey
 Gillespie County Downs, Texas
 Grand River, Canada
 Greentrack, Alabama
 GWS German Tote, Germany
 Gulf Greyhound, Texas
 Gulfstream Park, Florida
 Hanover Raceway, Canada
 Harrington Raceway & Simulcast, Delaware
 Hastings Park, Canada
 Hawthorne Race Course, Illinois
 Hazel Park, Michigan
 Hiawatha Downs, Ontario
 Hipica de Panama, Panama
 Hipodromo Camarero, Puerto Rico
 Hipodromo Montericco, Peru
 Ho-Chuck Casino, Connecticut
 Hoosier Park, Indiana
 Horsemen's Park, Nebraska
 Indiana Downs, Indiana
 Inverness Raceway, Canada
 John Martins Manor, Maine
 Kawartha Downs, Ontario
 Keeneland, Kentucky
 Kentucky Downs, Kentucky
 Kentucky OTB, Kentucky

Exhibit 6

| | |
|---|--|
| Las Vegas Dissemination Company, Nevada | Pimlico Race Course, Maryland |
| Lebanon (Miami Valley Gaming), Ohio | Plainridge Race Course, Massachusetts |
| Les Bois Park, Idaho | Plainridge Telephones, Massachusetts |
| Lewiston Raceway, Maine | Player Management Group, CA |
| Lien Games, North Dakota | Pocono Downs, Pennsylvania |
| Lincoln Greyhound Park, Rhode Island | Portland Meadows, Oregon |
| Lone Star Race Park, Texas | Prairie Meadows, Iowa |
| Louisiana Downs, Louisiana | Premier Turf Club, North Dakota |
| Magna Bet, Austria | Presque Isle Downs, Pennsylvania |
| Maronas Race Track, Uruguay | Raceway Park, Ohio |
| Marquis Downs, Saskatchewan | Racing2Day, North Dakota |
| Maryland Jockey Club, Maryland | Racing and Gaming Services, St Kitts |
| Maywood Park, Illinois | Remington Park, Oklahoma |
| Meskwaki Casino, Oklahoma | Retama Park, Texas |
| Millennium Racing, Trinidad | Rideau Carleton Raceway, Canada |
| Millers OTB, Maine | Riders Up OTB, Oklahoma |
| Mobile Greyhound Park, Alabama | River Downs, Ohio |
| Mohegan Sun, Pennsylvania | Rockingham Park, New Hampshire |
| Monmouth Park, New Jersey | Rocky Mountain Turf Club, Canada |
| Montana OTB, Montana | Royal Beach Casino, St Kitts |
| Monticello Raceway, NY | Ruidoso Downs, New Mexico |
| Mountaineer Park, West Virginia | Saddle Brook Jockey Club, TX |
| Mt. Pleasant Meadows, Michigan | Sam Houston Park, Texas |
| Nassau Regional OTB, New York | Sandy Downs, Idaho |
| Nebraska State Fair Park, Nebraska | Saratoga Harness, New York |
| Nevada Pari-Mutuel Association, Nevada | Scarborough Downs, Maine |
| NJSEA, New Jersey | Scioto Downs, Ohio |
| New Jersey Mobile, New Jersey | Seabrook Greyhound Park, NH |
| New York Racing Association, New York | Shoreline Star Greyhounds, Connecticut |
| Newport Jai-Alai, Rhode Island | Skydancer Casino, Oklahoma |
| Northfield Park, Ohio | Social Gaming Technologies, North Dakota |
| Northlands Park, Canada | Sol Mutuel, St. George's, Grenada |
| Northville Downs, Michigan | Southland Greyhound Park, Arkansas |
| Oaklawn Park, Arkansas | Sports Center, Kentucky |
| Ocean Downs, Maryland | Sudbury Downs, Canada |
| Offtrackbetting.com, Oregon | Suffolk District OTB, New York |
| Oneida Bingo and Casino, Oklahoma | Suffolk Downs, Massachusetts |
| Ontario Teletheatre, Ontario | Sunland Park Racetrack, New Mexico |
| Paragon Casino, Louisiana | Sun Ray Park, New Mexico |
| Penn National Race Course, Pennsylvania | Tampa Bay Downs, Florida |
| Philadelphia Park, Pennsylvania | Taunton Dog Track, New Hampshire |
| Phumelela (Premier Gateway), South Africa | TBC Teletheatre, British Columbia |
| Pojoaque Casino, Oklahoma | The Meadows, Pennsylvania |
| Potawatomi Casino, Wisconsin | Thistledown, Ohio |
| Picov Downs, Canada | Tioga Downs, New York |

Exhibit 6

Tote Investment Services, Trinidad
Tri-State Greyhound, West Virginia
Truro Raceway, Canada
TVG, Los Angeles
TVG Chester, Pennsylvania
TVG Prairie Meadows, Iowa
Turf Paradise, Arizona
Turfway Park, Kentucky
Twin River Greyhounds, RI
Twin Spires, Kentucky
Valley Greyhound Park, Texas
Velocity Wagering Ltd., KY
Venezuela OTB, Venezuela
Vernon Downs, New York
Watch and Wager, San Francisco
Western Fair, Ontario
Western Regional OTB, New York
Wheeling Downs, Canada
Will Rogers Downs, Oklahoma
Windsor Raceway, Ontario
Woodbine Entertainment Corp, Ontario
Wyoming Downs, Wyoming
Wyoming Horse Racing LLC, Wyoming
XpressBet, Pennsylvania
Yonkers Raceway, New York
Zia Park, New Mexico

Exhibit 7

AmWest Entertainment, KY
 Arapahoe Park, Colorado
 Arima Race Course, Trinidad
 Arlington International Race Course, Illinois
 Assiniboia Downs, Canada
 Atlantic City Casino Assn., New Jersey
 Atlantic City Race Course, New Jersey
 Atlantis Resort and Casino, Bahamas
 Atokad Park, South Dakota
 Balmoral Park, Illinois
 Bangor Raceway, Maine
 Barrie Raceway, Ontario
 Batavia Downs, New York
 Bet America, LLC, North Dakota
 Bet Fair Games Limited, UK
 Bettor Racing OTB, South Dakota
 Beulah Park, Ohio
 Birmingham Race Course, Alabama
 Bluff Runs Greyhound, Idaho
 Bordertown OTB, Oklahoma
 Buffalo Trotting Association, New York
 Bwin International, Ltd.
 Calder Race Course, Florida
 Canterbury Park, Minnesota
 Capital District OTB, New York
 Catskill Regional OTB, New York
 Charles Town Races, West Virginia
 Chester Downs - Pennsylvania
 Churchill Downs, Kentucky
 Clinton Teletheatre, Canada
 Club Hipico Inturf, Venezuela
 Coeur d' Alene Casino, Idaho
 Colonial Downs, Virginia
 Columbus Races, Nebraska
 Connecticut OTB, Connecticut
 Corpus Cristi Greyhound, Texas
 Cypress Bayou, Louisiana
 Divi Carina Bay Casino, Louisiana
 Delaware Park, Delaware
 Delta Downs, Louisiana
 Dover Downs, Delaware
 Downs at Albuquerque, New Mexico
 Ebet Online, Oregon
 Elite Turf Club, Curacao
 Ellis Park, Kentucky
 Elmira Raceway, Ontario
 Equus St. Thomas, St. Thomas
 Emerald Downs, Washington
 Euro Offtrack, Isle of Man
 Evangeline Downs, Louisiana
 Evansville/Clarksville OTB, Indiana
 Fair Chance Racing Services, Trinidad
 Fairgrounds Racecourse, Louisiana
 Fair Meadows, Texas
 Fairmount Park, Illinois
 Finger Lakes Race Track, New York
 Flamboro Downs, Ontario
 Fonner Park, Nebraska
 Fort Erie Racetrack, Canada
 Foxwoods Casino, Connecticut
 Fraser Downs, British Columbia
 Freehold Raceway, New Jersey
 Gillespie County Downs, Texas
 Grand River, Canada
 Greentrack, Alabama
 GWS German Tote, Germany
 Gulf Greyhound, Texas
 Gulfstream Park, Florida
 Hanover Raceway, Canada
 Harrington Raceway & Simulcast, Delaware
 Hastings Park, Canada
 Hawthorne Race Course, Illinois
 Hazel Park, Michigan
 Hiawatha Downs, Ontario
 Hipica de Panama, Panama
 Hipodromo Camarero, Puerto Rico
 Hipodromo Monterrico, Peru
 Ho-Chuck Casino, Connecticut
 Hoosier Park, Indiana
 Horsemen's Park, Nebraska
 Indiana Downs, Indiana
 Inverness Raceway, Canada
 John Martins Manor, Maine
 Kawartha Downs, Ontario
 Keeneland, Kentucky
 Kentucky Downs, Kentucky
 Kentucky OTB, Kentucky
 Las Vegas Dissemination Company, Nevada
 Lebanon (Miami Valley Gaming), Ohio
 Les Bois Park, Idaho

Exhibit 7

Lewiston Raceway, Maine
 Lien Games, North Dakota
 Lincoln Greyhound Park, Rhode Island
 Lone Star Race Park, Texas
 Louisiana Downs, Louisiana
 Magna Bet, Austria
 Maronas Race Track, Uruguay
 Marquis Downs, Saskatchewan
 Maryland Jockey Club, Maryland
 Maywood Park, Illinois
 Meskwaki Casino, Oklahoma
 Millennium Racing, Trinidad
 Millers OTB, Maine
 Mobile Greyhound Park, Alabama
 Mohegan Sun, Pennsylvania
 Monmouth Park, New Jersey
 Montana OTB, Montana
 Monticello Raceway, NY
 Mountaineer Park, West Virginia
 Mt. Pleasant Meadows, Michigan
 Nassau Regional OTB, New York
 Nebraska State Fair Park, Nebraska
 Nevada Pari-Mutuel Association, Nevada
 NJSEA, New Jersey
 New Jersey Mobile, New Jersey
 New York Racing Association, New York
 Newport Jai-Alai, Rhode Island
 Northfield Park, Ohio
 Northlands Park, Canada
 Northville Downs, Michigan
 Oaklawn Park, Arkansas
 Ocean Downs, Maryland
 Offtrackbetting.com, Oregon
 Oneida Bingo and Casino, Oklahoma
 Ontario Teletheatre, Ontario
 Paragon Casino, Louisiana
 Penn National Race Course, Pennsylvania
 Philadelphia Park, Pennsylvania
 Phumelela (Premier Gateway), South Africa
 Pojoaque Casino, Oklahoma
 Potawatomi Casino, Wisconsin
 Picov Downs, Canada
 Pimlico Race Course, Maryland
 Plainridge Race Course, Massachusetts
 Plainridge Telephones, Massachusetts
 Player Management Group, CA
 Pocono Downs, Pennsylvania
 Portland Meadows, Oregon
 Prairie Meadows, Iowa
 Premier Turf Club, North Dakota
 Presque Isle Downs, Pennsylvania
 Raceway Park, Ohio
 Racing2Day, North Dakota
 Racing and Gaming Services, St Kitts
 Remington Park, Oklahoma
 Retama Park, Texas
 Rideau Carleton Raceway, Canada
 Riders Up OTB, Oklahoma
 River Downs, Ohio
 Rockingham Park, New Hampshire
 Rocky Mountain Turf Club, Canada
 Royal Beach Casino, St Kitts
 Ruidoso Downs, New Mexico
 Saddle Brook Jockey Club, TX
 Sam Houston Park, Texas
 Sandy Downs, Idaho
 Saratoga Harness, New York
 Scarborough Downs, Maine
 Scioto Downs, Ohio
 Seabrook Greyhound Park, NH
 Shoreline Star Greyhounds, Connecticut
 Skydancer Casino, Oklahoma
 Social Gaming Technologies, North Dakota
 Sol Mutuel, St. George's, Grenada
 Southland Greyhound Park, Arkansas
 Sports Center, Kentucky
 Sudbury Downs, Canada
 Suffolk District OTB, New York
 Suffolk Downs, Massachusetts
 Sunland Park Racetrack, New Mexico
 Sun Ray Park, New Mexico
 Tampa Bay Downs, Florida
 Taunton Dog Track, New Hampshire
 TBC Teletheatre, British Columbia
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Exhibit 7

TVG, Los Angeles
TVG Chester, Pennsylvania
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Western Regional OTB, New York
Wheeling Downs, Canada
Will Rogers Downs, Oklahoma
Windsor Raceway, Ontario
Woodbine Entertainment Corp, Ontario
Wyoming Downs, Wyoming
Wyoming Horse Racing LLC, Wyoming
XpressBet, Pennsylvania
Yonkers Raceway, New York
Zia Park, New Mexico

F. CALIFORNIA MINI-SIMULCAST FACILITIES: Southern and Northern California

Mini-Satellites – South

M1. COMMERCE CASINO
 6131 East Telegraph Road
 Commerce, CA 90040
 Phone: (323) 721-2100
 Contact: Ralph Wong

M2. OC TAVERN
 2369 South El Camino Real
 San Clemente, CA 92672
 Phone (949) 542-8877
 Contact: Michael Merrigan

M3. SANTA MARIA
 Original Roadhouse Grill
 1423 S. Bradley Rd.
 Santa Maria, CA 93454
 Phone: (805) 614-0586
 Contact: John Tintle

M4. SANTA CLARITA LANES
 21615 W. Soledad Canyon Rd.
 Saugus, CA 93454
 Phone (661) 254-0540
 Contact: Craig Goodman

M5. SAMMY'S OF LAKE FOREST
 23221 Lake Center Drive
 Lake Forest, CA 92630
 Phone (949) 716-2367
 Contact: Brad McKinzie

M6. MERMAID TAVERN
 1345 E. Thousand Oaks Blvd.
 Thousand Oaks, CA 91362
 Phone (805) 777-7418
 Contact: Robert Haupt

M7. OCEAN'S 11 CASINO
 121 Brooks Street
 Oceanside, CA 92054
 Phone (888) 439-6988
 Contact: Steve Gallagher

M8. STRIDERS BAR & GRILL (Opening Pending-construction phase)
 2895 Hamner Avenue, Norco, CA 92860
 Phone (310) 200-9666
 Contact: Lance Ku

M9. STRIDERS SD BAR & GRILL (Opening Pending-awaiting City permits)
 100 Harbor Drive, San Diego CA 92101
 Phone: (310) 200-9666
 Contact: Lance Ku

Mini-Satellites-North

M11. BANKERS CASINO
 111 Monterey Street
 Salinas, CA 93901
 Phone: (831) 372-8106
 Contact: Dustin Stafford

EXHIBIT 8 (Continued)

F. CALIFORNIA MINI-SIMULCAST FACILITIES: Southern and Northern California

Mini-Satellites – South

Mini-Satellites-North

M10. FIREHOUSE BAR & GRILL (Opening Pending-Construction Phase)

7701 White Avenue, Bakersfield, CA 923313

Phone: (310) 200-9666

Contact: Lance Ku

Exhibit 9

Full & Partial Cards

Aqueduct: November 5, 2014 – November 30, 2014
Calder Race Course: November 5, 2014 – November 30, 2014
Churchill Downs: November 5, 2014 – November 30, 2014
Delta Downs: November 5, 2014 – November 30, 2014
Gulfstream Park: November 5, 2014 – November 30, 2014
Fairgrounds: November 21, 2014 – November 30, 2014
Finger Lakes: November 5, 2014 – November 30, 2014
Hawthorne Race Course: November 5, 2014 – November 30, 2014
Laurel Park: November 5, 2014 – November 30, 2014
Mountaineer Park: November 5, 2014 – November 30, 2014
PARX Racing: November 5, 2014 – November 30, 2014
Penn National: November 5, 2014 – November 30, 2014
Portland Meadows: November 5, 2014 – November 30, 2014
Tampa Bay Downs November 29, 2014 – November 30, 2014
Thistledown: November 5, 2014 – November 30, 2014
Turf Paradise: November 5, 2014 – November 30, 2014
Zia Park: November 5, 2014 – November 30, 2014

Woodbine: November 5, 2014 – November 30, 2014
LARC (South America) via Laurel Park: November 5, 2014 – November 30, 2014
LARC (South America) via Gulfstream Park: November 5, 2014 – November 30, 2014

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track Race Dates Full Card or Selected Feature and/or Stakes Races

- H. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": N/A

QUARTER HORSE SIMULCAST RACES TO BE IMPORTED

Name of Host Track Race Dates Full Card or Selected Feature and/or Stakes Races

- I. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": N/A

HARNESS SIMULCAST RACES TO BE IMPORTED

Name of Host Track Race Dates Full Card or Selected Feature and/or Stakes Races

- J. For **ALL** racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

OTHER BREED SIMULCAST RACES TO BE IMPORTED N/A

Name of Host Track Breed of Horse Race Dates Number of Races to be Imported

- K. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). N/A

NOTICE TO APPLICANT: All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

12. CHARITY RACING DAYS

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association:
Del Mar Thoroughbred Club, P.O. Box 700, Del Mar, CA 92014

B. Names and addresses of the trustees or directors of the distributing agent:

| | |
|---|--|
| David H. Batchelder 12400 High Bluff Drive, Ste. 600 San Diego, CA 92130 | Rollin Baugh P.O. Box 2461 Rancho Santa Fe, CA 92067 |
| Dr. James R. Buell 4790 Caughlin Pkwy # 518 Reno, NV 89509 | Joseph W. Harper P.O. Box 700 Del Mar, CA 92014 |
| Jon S. Kelly Tres Palomas P.O. Box 2574 Rancho Santa Fe, CA 92067 | Warner C. Lusardi Lusardi Construction Company 1570 Linda Vista Drive San Marcos, CA 92078 |
| Marie G. Moretti 980 Ninth Street, Suite 2000 Sacramento, CA 95814 | Martin J. Wygod The Wygod Group P.O. Box 676306 Rancho Santa Fe, CA 92067 |

C. Dates the association will conduct races as charity racing days OR:

D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? Yes

NOTICE TO APPLICANT: Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of Business and Professions Code section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 50% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of Business and Professions Code section 19556(b) and (c).

13. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated: **TBD (Indicates officials that are still in negotiations)**
- Association Veterinarian(s) **Dana Stead, VMD**
- Clerk of Scales **Charles McCaul**
- Assistant Clerk of Scales **TBD**
- Clerk of the Course **TBD**
- Film Specialist **Ruben Hernandez**
- Horse Identifier **TBD**
- Horseshoe Inspector **Victor Tovar**
- Paddock Judge **Karen Denovel**
- Patrol Judges **TBD**
- Karen Denovel**
- TBD**
- Placing Judges **Robert Moreno**
- Tora Yamaguchi**
- TBD**
- Starter **Jay Slender**
- Timer **Russell Hudak**

- B. Management officials in the racing department:
- | | |
|-------------------------------------|----------------------------------|
| Vice President, Racing | Thomas S. Robbins |
| Racing Secretary | David Jerkens |
| Assistant Racing Secretary | Zach Soto, Tora Yamaguchi |
| Paymaster of Purses | Bridget Crawford |
| Others (identify by name and title) | N/A |
- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:
- Michelle Derieg**
Weinstein Court Reporters
PO Box 26634
Santa Ana, CA 92799
(949) 637-6071
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:
- Plusmic Corporation, William O'Brien, Digital Photo Finish Only**
Contract expires 12/31/2014
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.
- TVG**
Expiration: 6/30/2017
Equipment list on file with CHRB
- For each race TVG will provide:
- Two manned pan cameras located near the judge's room in the press box providing a wide and a wide and tight view of each race, turf and dirt.
 - Four manned tower cameras:
 - Backstretch head-on (Training Track Camera Tower)
 - Far turn and Stretch run back view (Quarter Chute Camera Tower)
 - Stretch-run head-on (Livestock Barn Camera Tower) - turf
 - Stretch-run head-on (Livestock Barn Camera Tower) - dirt
 - 2 cameras in the paddock area provided coverage of horses, jockeys, trainers and owners
 - A camera in winner circle
 - A 16 x 9 aspect ratio pan camera located on the 7th floor providing race coverage for the in house video board presentation
 - TVG will provide talent for this event
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

TRAKUS

| | |
|---------------------------|---|
| Electronic Timing Device: | 2.4 CHz spread spectrum transceiver |
| Name of Person: | Michael Ciacciarelli (Trakus LLC) Ken Davis, Mike Schneider (TJC Racetrack Services) |
| Expiration Date: | 12/31/16 |

14. SECURITY CONTROLS

A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Exhibit 10**

B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **50**

1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls. **The security for stakes races will be deployed in accordance with our agreement with TOC.**

2. Detention Stalls:

A. Attach a plan for use of graded stakes or overnight races.

Detention barn is used as required by the CHRB.

B. Number of security guards in the detention stall area during a 24-hour period.

As needed at the direction of the CHRB.

C. Describe number and location of surveillance cameras in detention stall area.

For the meet we will be utilizing five or more Detention stalls, as needed, located east of the receiving / test barn as our detention area. We will install fixed cameras in each of the five detention stalls as well as fixed cameras viewing the shedrow from both directions. As with the barn area, surveillance control and viewing will be from the CHRB Investigators' office on the Frontside.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

All

B. Plan for enhanced surveillance for trainers with high-test results.

Will follow CHRB directives.

C. Plan for detention stalls for repeat offenders.

Will follow CHRB directives.

D. Number of security personnel assigned to the TCO2 program.

Assigned as needed

C. Describe the electronic security system:

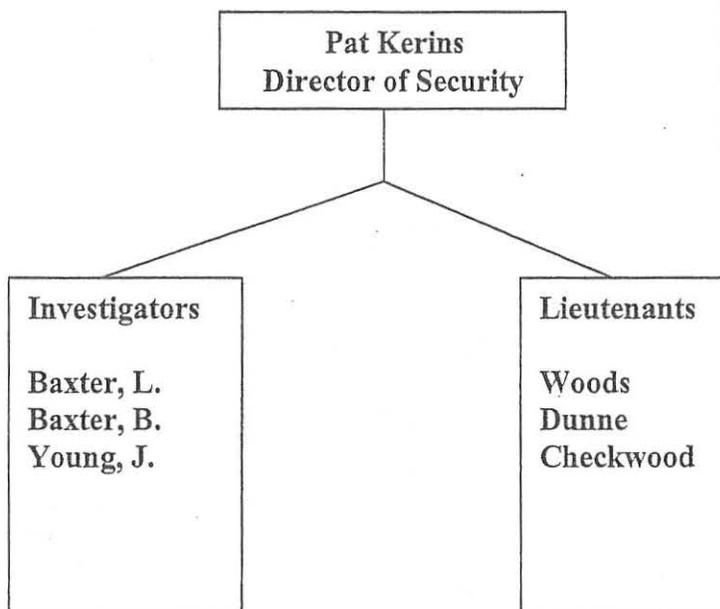
Del Mar Thoroughbred Club uses a door alarm management system for its Executive and Operations offices utilizing Proximity cards and Proximity Access Keyfobs via door controllers located at entrances. The system comes with related door alarm management software.

EXHIBIT 10**Security Personnel**

Person responsible for security controls on the premises:

Pat Kerins, Director of Security.

Security Department:*

**Contact Information**

| | |
|----------------------|-----------------------------|
| Director of Security | Work 858-755-1141 ext. 3652 |
| James Young | Work 858-755-1141 ext. 3698 |
| All others | Work 858-755-1141 ext. 3650 |

*List of Security Personnel subject to change. Individuals will be hired by the union on a seniority basis.

STABLE GATES AND GAPS 2014

| HOURS | GATES | 12AM | 1AM | 2AM | 3AM | 4AM | 5AM | 6AM | 7AM | 8AM | 9AM | 10AM | 11AM | 12PM | 1PM | 2PM | 3PM | 4PM | 5PM | 6PM | 7PM | 8PM | 9PM | 10PM | 11PM | 12PM |
|---------|---------------|----------|-----|-----|-----|-----|-----|----------|-----|-----|-----|------|----------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|
| 24 hrs. | Main | [Shaded] | | | | | | [Shaded] | | | | | [Shaded] | | | | | | | | | | | | | |
| 19 hrs. | Official Gate | [Shaded] | | | | | | [Shaded] | | | | | [Shaded] | | | | | | | | | | | | | |
| 8 hrs. | Stable Gate | [Shaded] | | | | | | | | | | | | [Shaded] | | | | | | | | | | | | |

EXHIBIT 10 (CONTINUED)

1. Location and number of video surveillance cameras for the detention stall and stable gate.
Del Mar Thoroughbred Club utilizes several pan/tilt/zoom cameras located at various places in the barn area. The images from these cameras are recorded on disk drives and stored for up to three weeks before being rerecorded. Control of these cameras is located in DMTC's security office.

D. For night racing associations. Describe emergency lighting system: N/A

15. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

**Rural Metro of San Diego, 10405 San Diego Mission Rd. Suite 200, San Diego, CA 92108
(619) 280-6060**

1. Attach a certification from the ambulance service(s) listed in 15A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

Exhibit 11 (A)

On-track staff: Advanced Life Support Ambulances (ALS) – A Paramedic and Bridge Program certified Emergency Medical Technicians are on site at all times that either training or live racing is taking place.

- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Auxiliary Site: Los Alamitos
Huntington Ambulance
Contact: Stacy O'Bryan
PO Box 145
Sunset Beach, CA 90742
(562) 904-1550**

**Auxiliary Site: San Luis Rey Downs
Mercy Ambulance
Contact: Doug Moriarty
2537 Old San Pascual Road
Escondido, CA 92027
(760) 525-9676**

1. Attach a certification from the ambulance service (s) listed in 15B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

- **Huntington Ambulance Certificate: On File**
- **Mercy Ambulance Certificate: On file**

- C. Describe the on-track first aid facility, including equipment and medical staffing:

The on-site first aid clinic at Del Mar Thoroughbred Club is located at the east end of the grandstand facility, with easy access from the track. The facility includes 4 patient beds (1 private room, 3 curtain areas). There are 2 Paramedics, 2 EMTs, 1 Medical Assistant and 1 doctor on site every racing day. Friday, Saturday, Sunday, Opening Day and Pacific Classic Day we have a Medical Coordinator (Medic 25) who works as liaison with Municipal EMS. There are two ALS equipped ambulances on site as well.

The equipment contained in the first aid clinic includes:

EXHIBIT 11

**Special Event Medical Services**

April 7, 2014

Kim Jacobson, Risk Manager
Del Mar Thoroughbred Club
PO Box 700
Del Mar, CA 92014-0700

Dear Kim,

Rural/Metro Ambulance of San Diego is the 911 emergency paramedic service provider for the City of San Diego and possesses full certification with the County of San Diego and the State of California.

Rural/Metro is in full compliance with all California State and San Diego County Emergency Medical Services laws and regulation regarding the provision of such services including certification of all of our emergency medical technicians and paramedics.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Johnson', with a long horizontal flourish extending to the right.

Wayne Johnson
Division General Manager
Rural/Metro of San Diego



COUNTY OF SAN DIEGO

EMERGENCY MEDICAL SERVICES

EMERGENCY MEDICAL TRANSPORT PERMIT

AGENCY NAME: RURAL/METRO OF SAN DIEGO INC.

Effective Date: June 1, 2014

Expiration Date: May 31, 2015

Approved as: ALS

BLS

CCT

Authorized by:

Marilyn M...
Permit Officer, Emergency Medical Services

Permit Number: 14-104



COUNTY OF SAN DIEGO

EMERGENCY MEDICAL SERVICES

EMERGENCY MEDICAL TRANSPORT PERMIT

AGENCY NAME: MERCY MEDICAL TRANSPORTATION, INC.

Effective Date: December 1, 2013

Expiration Date: November 30, 2014

Approved as: ALS BLS CCT

Authorized by: *Meredith A. [Signature]*
Permit Officer, Emergency Medical Services

Permit Number: 13-130

SLR Ex. 15B-1 7-38

MERCY
Medical
Transportation
Inc.

ADMINISTRATION

P.O. Box 6004

Mariposa, CA

95338-5004

(209) 966-5762

FAX (209) 966-4901

February 10, 2014

California Horse Racing Board

Re: Ambulance Certification Letter

Dear Sirs,

Mercy Medical Transportation, Inc. employs only Paramedics that are State Certified and Licensed and San Diego County Certified and Licensed. All of our Paramedics have background checks, drug testing and have been sent through the Department of Justice. Mercy also participates in the DMV pull notice program.

Mercy has a continuous quality improvement plan and high standards for continuous training of our personnel.

Sincerely,



Richard F. Roesch

President

Los AL. Ex. 15B-1 7-37

Huntington Ambulance, LLC

CHRB
1010 Hurley Way #300
Sacramento, CA 95825

February 11, 2014

Dear CHRB Board,

I, Stacey O'Bryan, President of Huntington Ambulance, LLC certify that all E.M.T's (Emergency Medical Technicians) working for Huntington Ambulance, LLC are licensed with the State of California Emergency Medical Services and licensed and certified with the Orange County Emergency Medical Services.

All of our E.M.T's are licensed with the California Horse Racing Board.

Sincerely,



Stacey O'Bryan - President
Huntington Ambulance, LLC

- Oxygen at each station
- Cardiac monitor
- AED
- Otoscope
- Ophthalmoscope
- Pulse Oximeter
- B/P Cuff
- Thermometer
- Bag Valve mask
- Surgical equipment (used for laceration repair and suture removal)

D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **(If quarter horse racing association sees D (1) :**

All medical doctors can be reached by contacting the first clinic directly at (858) 755-1141 ext. 2814 or through our Security Office by calling ext. 3650. The first aid clinic, Paramedics and EMTs have radios to monitor the security channel and/or Official Channel. Medical calls are dispatched by way of radio. Our doctors are contracted through Scripps Coastal Medical Center - and rotate on site for the racing days. The doctors include:

Ariel Alexander Cortes, MD

John K. Agostino, MD

Athanasios J. Foster, MD

Melinda E. Nevins, DO

Philip A. Sanderson, MD

1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a):

N/A

E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

Refer to the Del Mar Thoroughbred Club Jockey, On-Track Accident Response Program for specifics regarding hospital selection.

Scripps La Jolla

988 Genesee Ave., La Jolla, CA 92037 / 858-626-4123

Scripps Encinitas

354 Santa Fe Drive, Encinitas, CA 92024 / 760-753-4123

F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:

Exhibit 12

G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):

Health and Safety Manager (Risk Manager): Kimberly Jacobson

Assistant Manager (Risk Management Assistant): Jeremiah Mendoza

H. Attach a fire clearance from the fire authority having jurisdiction over the premises.

On File

EXHIBIT 12 - Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

Overview: The Del Mar Thoroughbred Club (DMTC) is committed to the overall health and safety of the riding professionals that are valued members of the racing community and DMTC. A large part of this commitment is the provision of professional medical and first aid services, should a jockey need to avail themselves of such services or be involved in an accident that requires first aid or emergency medical aid. DMTC takes their role in providing first aid and emergency medical care and transportation, when required, seriously. This program defines the plan elements and procedures DMTC will follow, should such events occur where medical aid becomes necessary.

Program Elements:

I. Medical Professionals On-Site During Racing - Summary

DMTC maintains licensed medical and first aid professionals that comply with the levels established by the horse racing industry. DMTC contracts with Scripps Coastal Medical Clinics to provide a licensed physician and medical assistants, who are on duty during live racing. DMTC maintains two Advanced Life Support Ambulances. Each ambulance is staffed by a Paramedic and a Bridge Program certified Emergency Medical Technician (EMT). In addition, municipal fire department, with paramedic and EMT services are readily available as these services are co-located with the track.

II. Jockey Health Information System (JHIS)

DMTC participates in the Jockey Health Information System through InCompass. All Medical Doctors and the Risk Management Department have access to this program.

The medical doctors staffing the on-site clinic can access medical information for those jockeys who participate in the program.

When a jockey, who participates in the program, is injured on track, the DMTC Risk Management Supervisor will access and print the Jockey's information. This information, along with Work Comp information is then sent with the Jockey to the hospital and/or faxed directly to the hospital emergency room.

II. Area Hospitals and Rapid Admittance

- a. DMTC maintains a working relationship with two area hospitals, both members of the Scripps Hospital and Healthcare family of operations. The hospitals are found in either La Jolla, just south

EXHIBIT 12 - Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

of the DMTC track, or Encinitas, just north of the track. Both are Level 1 trauma hospitals.

- b. The Scripps triage and base station is located at the La Jolla hospital – when determined transport is necessary they will be contacted immediately by the Medical Clinic Staff, Paramedics or Risk Management.
- c. Riders will be transported to Scripps La Jolla unless base station determines alternate site is necessary. All decisions on where a rider will be seen are made by Scripps La Jolla at the time of a reported incident. DMTC will not know where a rider is being taken until such time that transport has been initiated and we are advised as to which facility they are directed to.
- d. The addresses of the hospitals are: (Both are located less than 10 miles from DMTC)
 - a. Scripps La Jolla
9888 Genesee Avenue
La Jolla, CA 92037
Tel: 858.626.4123
 - b. Scripps Encinitas
354 Santa Fe Drive
Encinitas, CA 92024
Tel: 760.753.4123

III. The DMTC Safety and Health and Program Manager

- a. The DMTC Risk Manager serves as the Safety Manager and coordinator of the Jockey medical treatment and on-track accident program.
- b. DMTC also maintains an Assistant Safety and Health Manager (the Risk Management Supervisor) during the live meet period in the event the Safety Manager is unavailable.

Both the Risk Manager and the Risk Manager Supervisor can be reached at the following extensions, Ext. 4233 or Ext. 3225 respectively or via radio on the Security Channel as Risk 1 and Risk 2. As needed, the DMTC Operator or security Dispatch can assist with obtaining alternate contact numbers as well.

IV. On-site First Aid Facilities and Staffing

- a. Physician - Services for the on-site medical clinic are contracted through Scripps Coastal Medical Center. During all live racing periods there will a licensed physician and medical assistant on duty.

EXHIBIT 12 - Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

b. Advanced Life Support Ambulances (ALS) – A Paramedic and Bridge Program certified Emergency Medical Technicians are on site at all times that either training or live racing is taking place. During Training hours there will be one ALS ambulance and one team which includes one (1) Paramedic and one (1) Bridge Program certified Emergency Medical Technician on site at all times. During live racing there will be two ALS ambulances, which will include two (2) Paramedics and two (2) Bridge Program certified Emergency Medical Technicians on site. Team 1 will follow the field during live racing; Team 2 will cover the paddock during pre-race activities and serve as a back up to Team 1. Both teams will maintain radio contact with the officials and security dispatch at all times.

c. Municipal Response Capabilities- DMTC is located on a State of California Fairgrounds. As such, we enjoy the benefits of the Del Mar Fire Department municipal fire service and Paramedic and Emergency Medical Technicians that are stationed on the grounds. If the on-site station has responded to an off-site emergency, the North Com dispatch will send the closest responding unit available. On track Paramedics have the capability of calling North Com directly should back up be necessary.

V. Ambulance and Medical Transport Protocols

- a. Contracted ambulance service – DMTC contracts with the San Diego/Rural Metro Ambulance who provides ALS on-track emergency medical response and may provide transport services. Depending on the time and nature of an incident as well as the number of riders involved, transport may be referred to or in conjunction with the local municipal services.
- b. Local municipal services – The Del Mar Fire Department or others within the Rancho Fire Service area may respond as needed or called upon. The Rancho Fire Service will respond with Paramedics and EMT's on the fire trucks as well as Paramedics assigned to the municipal ambulances.

VI. The Emergency Medical Plan

These steps will be followed in the event of an on-track accident:

General Conditions

- On-site Paramedics and EMT's will respond to any observed rider on-track accident or as otherwise summoned for assistance. Such response will occur during training and/or live racing periods,
- If an incident requires transport, the hospital will be contacted and notified of the patient transport. (The La Jolla location of Scripps Hospital serves as the triage and base station for all incidents requiring hospital

EXHIBIT 12 - Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

emergency care; they will direct the medical transport team as to which hospital to respond to.)

Communications

- Paramedic and EMT's (Team 1 and 2) will be assigned two radios per team allowing for constant communication with both security dispatch and officials. Both Official Channel and Dispatch Channel will be monitored at all times.
- Medical Clinic will be assigned one radio and will maintain contact with security dispatch at all times.
- DMTC security dispatch will monitor the official channel at all times.
- Safety and Health Program Manager and Assistant will monitor the security channel at all times and the official channel during a live race. Both individuals will be available either on site or via cell phone 24 hours a day during the live meet.

Response During Training Periods

- During training periods, Paramedic and EMT will determine the nature and extent of any injuries and whether transport to a medical facility is necessary,
- The DMTC Security Dispatch will be notified immediately of any rider incident on-track or otherwise during training periods and will assist San Diego Medical Enterprises Services with securing additional medical help for transport to area hospital when necessary.
- Municipal units will meet San Diego Medical Enterprises unit at the clock tower to secure injured rider and transport to one of designated hospital.
- Incidents with injuries not requiring transport to one of the local hospitals identified within this program will be treated on-track or at the DMTC medical clinic based upon Paramedic judgment.
- Any on-track accidents during training periods will be immediately reported to the Safety Manager, for analysis review and additional reporting as might be required.

Response During Pre-Race (Paddock)

- EMT Team 2 will be situated in the paddock area during pre race activities to respond to an emergency occurring in the paddock area.
- Should an emergency occur Security Dispatch will be notified immediately.

EXHIBIT 12 - Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

- DMTC Safety and Health Program Manager and/or Assistant will respond to incident.
- Security dispatch will notify on site medical clinic that an incident has occurred.
- As needed, additional medical assistance will be summoned from local municipal resources,
- DMTC Security will respond to incident and assist with crowd control. If necessary security will provide escort to the medical clinic.

Accidents During Live Racing

- ALS unit -Team 1 following the racing field will immediately respond to on-track accidents; simultaneously, the on-track physician and medical assistant will be made aware of the incident via radio contact, observation of the race via closed –circuit television or as advised by the DMTC Safety or Security Staff,
- ALS unit - Team 2 will be on stand by at medical clinic to assist and/or replace the on track unit should it be necessary for Team 1 to leave the track for any reason.
- Should incident require ambulance to leave the track prior to the start of the race, Team 2 will immediately move in to position at the starting gates. When this occurs Team 2 will notify stewards via radio that they are in place.
- If for any reason Team 2 is unavailable CHRB stewards must be notified immediately via the official channel.
- As needed, additional medical assistance will be summoned from local municipal resources,
- Riders will be transported to the on-site medical facility for initial review, observation and triage. Should the Paramedic feel that immediate transport is necessary to hospital he will alert Security that rider will be transported directly to hospital (Paramedics have radio contact with Scripps La Jolla and will notify them directly of the transport). Risk Management will notify Officials.
- To the extent possible, all care will be provided by the professionals within the DMTC medical clinic,

EXHIBIT 12 - Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

- DMTC Safety and Security staff will immediately respond to the medical clinic to assist with event management and access control to the medical clinic,
- Depending on the nature and severity of injuries, the rider(s) may be transported to one of the local hospitals noted within this plan for further medical care and treatment as is needed,
- Any on-track accidents during live racing will be immediately reported to the Safety Manager, for analysis review and additional reporting as might be required.
- When one of the ALS units are required to leave the grounds DMTC Security will be notified immediately and instructed to call North Com for any patron medical aids until unit returns to grounds.
- Risk Management Department will provide Jockey Health Information System paperwork and Workers Compensation to the hospital.

Please note: Under no circumstances will information regarding the medical condition of a rider be provided to members of the media or others. Any such request should immediately be referred to the Director of Media and or President/General Manager.

VII. Posting This Plan

The DMTC, Jockey, On-Track Accident Response Plan will be posted in English and Spanish in the following locations:

- a. The Jockey's Room located on the first floor of the Clubhouse Grandstands
- b. The DMTC on-site medical facilities, and
- c. DMTC Security Dispatch

Additional copies of the plan will be maintained in the DMTC Risk Manager's office, located in the Operations Building.

IX. Updates

The plan will be reviewed annually prior to the DMTC live racing meet and appropriate changes and updates will be made. Regulatory and/or legislative changes that may modify this plan will be included as will any changes in medical providers and/or ambulance transport services.

EXHIBIT 12

Club de Caballos Purasangre Hipódromo Del Mar
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

Visión General: El Club de Caballos Purasangre del Hipódromo Del Mar (DMTC) se compromete a la salud y seguridad de todos los profesionales de equitación que son miembros valorados de la comunidad de equitación y DMTC. Una gran parte de este compromiso es proporcionar atención médica profesional y servicios de primeros auxilios, en caso de que un jinete necesite utilizar tales servicios o se vea implicado en un accidente que requiera atención de primeros auxilios o asistencia médica de emergencia. DMTC hace su función al ofrecer asistencia médica de emergencia, de primeros auxilios y transporte cuando se requiera en caso necesario. Este programa define los elementos del plan y procedimientos. DMTC realizará un seguimiento, cuando ocurran estos hechos donde se necesite asistencia médica.

Elementos del Programa:**I. Profesionales Médicos en el Sitio Durante la Carrera-Resumen**

DMTC mantiene a profesionales médicos licenciados y de primeros auxilios que cumplen con los niveles establecidos por la industria hípica. DMTC contrata a "Scripps Coastal Medical Clinics" para ofrecer un médico licenciado y ayudantes médicos que están en servicio durante la carrera de caballos. DMTC mantiene dos Ambulancias Avanzadas de Apoyo Vital. Cada ambulancia cuenta con un personal Paramédico y un Técnico Médico de Emergencia certificado del Programa Bridge (EMT). Además del departamento de bomberos municipal con paramédicos y servicios de EMT que están preparados, disponibles y están situados al lado de la pista.

II. Sistema de Salud para la Información del Jinete (JHIS)

DMTC participa en el Sistema de Salud para la Información del Jinete por medio de InCompass. Todos los Médicos y Departamento de Gerencia de Riesgo tienen acceso a este programa.

Todo el personal médico en el sitio puede acceder a la información médica de aquellos jinetes que participen en el programa.

Cuando un jinete, que participa en el programa, se accidenta en la pista, el Supervisor de Gerencia de Riesgo de DMTC accederá e imprimirá la información del Jinete. Esta información, junto con la información de Compensación de los Trabajadores se manda junto con el Jinete al hospital o se envía por fax directamente a la sala de emergencia del hospital.

EXHIBIT 12

Club de Caballos Purasangre Hipódromo Del Mar
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas**III. Hospitales de la Zona y Admisión Rápida**

- a. DMTC mantiene una relación profesional con dos hospitales de la zona, tanto los miembros del Hospital Scripps y la familia de asistencia médica de operaciones. Los hospitales se encuentran o en La Jolla, justo al sur de la pista de DMTC, o en Encinitas, justo al norte de la pista. Los dos son hospitales de traumatismos Nivel 1.
- b. La selección de Scripps y estación base se sitúa en el hospital de La Jolla, cuando se necesite un transporte determinado se les pondrá en contacto inmediato con el Personal Médico, Paramédicos o Gerencia de Riesgo.
- c. Se trasladará a los jinetes a Scripps en La Jolla a menos que la estación base determine un lugar alternativo en caso necesario. Todas las decisiones con respecto a donde se atenderá a un jinete se realizarán en Scripps La Jolla en el momento en que se reporte el accidente. DMTC no sabrá a dónde se lleva al jinete hasta el momento en que se haya iniciado el traslado y se nos avise sobre la instalación a la que se dirige.
- d. Las direcciones de los hospitales son: (Ambas se localizan a menos de 10 millas de DMTC)
 - a. Scripps La Jolla
9888 Genesee Avenue
La Jolla, CA 92037
Tel: 858.626.4123
 - b. Scripps Encinitas
354 Santa Fe Drive
Encinitas, CA 92024
Tel: 760.753.4123

IV. Salud y Seguridad y Gerente del Programa de DMTC

- a. El Gerente de Riesgo de DMTC atiende como Gerente de Seguridad y coordinador del tratamiento médico del jinete y el programa de accidentes en la pista.
- b. DMTC también mantiene un Subgerente de Seguridad y Salud (el Supervisor de Gerencia de Riesgo) durante el periodo del encuentro de carreras en directo en caso de que el Gerente de Seguridad no esté disponible.

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Tanto el Gerente de Riesgo y el Supervisor de Gerencia de Riesgo pueden localizarse en las siguientes extensiones, Ext. 4233 o Ext. 3225 respectivamente o por medio de la radio mediante el canal de Seguridad como Riesgo 1 y Riesgo 2. Cuando se necesite, el Operador o Despacho de Seguridad de DMTC podrán ayudarle a conseguir números de teléfono de contacto alternativos.

V. Instalaciones de Primeros Auxilios en el sitio y Personal

- a. Médico- Los servicios para el centro médico en el sitio se contratan por medio de "Scripps Coastal Medical Center". Durante los periodos de carreras en directo se proporcionará un médico licenciado y ayudante médico en servicio.
- b. Las Ambulancias Avanzadas de Apoyo Vital (ALS)- Un Paramédico y Técnicos Médicos de Emergencia certificados del Programa Bridge están en el sitio en todo momento ya sea si están entrenando o se está llevando a cabo una carrera hípica. Durante las horas de entrenamiento habrá una ambulancia ALS y un equipo que incluirá un (1) Paramédico y un (1) Técnico Médico de Emergencia Certificado del Programa Bridge en el sitio. El Equipo 1 seguirá el campo durante la carrera en directo, el Equipo 2 cubrirá las caballerizas durante las actividades antes de las carreras y atenderá como un refuerzo del Equipo 1. Ambos equipos mantendrán el contacto por radio con los oficiales y despacho de seguridad en todo momento.
- c. Las Capacidades de Respuesta Municipal-DMTC está situado en un recinto ferial del Estado de California. Como tal, disfrutamos de los beneficios del servicio de bomberos municipal Del Mar, Paramédicos y Técnicos de Emergencia Médica que se localizan en el terreno. Si la estación en el sitio ha respondido a una emergencia fuera del sitio, el despacho North Com mandará a la unidad de respuesta más cercana disponible. Los Paramédicos en la pista cuentan con la capacidad de llamar directamente a North Com en caso de que se necesite un refuerzo.

VI. Protocolos de Transporte Médico y Ambulancia

- a. El servicio de ambulancia contratada-DMTC contrata a Ambulancias Rural Metro/de San Diego que proporciona ALS para responder ante las emergencias médicas que puedan surgir en la pista y proporcionará servicios de transporte. Dependiendo del tiempo y la naturaleza de un incidente así como el número de jinetes implicados, transporte al que podrá referirse o conjuntamente con los servicios municipales locales.

EXHIBIT 12

Club de Caballos Purasangre Hipódromo Del Mar
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- b. Los servicios municipales locales- El departamento de bomberos Del Mar u otros dentro del área de servicio de incendios de Rancho podrá responder según se necesite o solicite. El Servicio de Bomberos de Rancho responderá con Paramédicos y EMTs en los camiones de bomberos así como los Paramédicos asignados a las ambulancias municipales.

VII. Plan Médico de Emergencia

Estos pasos se seguirán en caso de que ocurra un accidente en las pistas:

Condiciones Generales

- Los Paramédicos y EMT en el sitio responderán a cualquier accidente que observen de un jinete en la pista o de otro modo pedirán ayuda. Tal respuesta ocurrirá durante el entrenamiento o periodos de carreras en directo,
- Si un incidente requiere transporte, se contactará y avisará al hospital del transporte del paciente. (La localización de La Jolla del Hospital Scripps atiende como sala de urgencias y estación base para todos los incidentes que requieran asistencia de emergencia hospitalaria y dirigirán al equipo de transporte médico a qué hospital deberán acudir).

Comunicaciones

- Los Paramédicos y EMTs (Equipo 1 y 2) se les asignarán dos radios por equipo para permitir una comunicación constante con el despacho de seguridad y los oficiales. Tanto el Canal Oficial y el Canal de Despacho se controlarán en todo momento.
- Se le asignará al centro médico una radio y mantendrá contacto con el despacho de seguridad en todo momento.
- El despacho de seguridad de DMTC controlará el canal oficial en todo momento.
- El Gerente del Programa de Seguridad y de Salud controlará el canal de seguridad en todo momento y el canal oficial durante una carrera en directo. Ambas personas estarán disponibles tanto en el sitio como por teléfono celular las 24 horas al día durante el encuentro de las carreras en directo.

Respuesta Durante los Periodos de Entrenamiento

- Durante los periodos de entrenamiento, el Paramédico y EMT determinarán la naturaleza y extensión de cualquier lesión y si el transporte a una instalación médica si fuera necesario,
- Se avisará de inmediato al Despacho de Seguridad de DMTC de cualquier incidente de los jinetes en la pista o de otro modo durante los periodos de entrenamiento y ayudará a "San Diego Medical Enterprises

EXHIBIT 12

Club de Caballos Purasangre Hipódromo Del Mar
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Services” a conseguir ayuda médica adicional para facilitar transporte al hospital del área cuando se necesite.

- Las unidades municipales se reunirán en la unidad de “San Diego Medical Enterprises” en la torre del reloj para asegurar al jinete lesionado y el transporte a un hospital designado.
- Los incidentes con lesiones que no requieran transporte a uno de los hospitales locales identificados dentro de este programa, se tratarán en la pista en el centro médico de DMTC según el criterio del Paramédico.
- Cualquier accidente en la pista durante los periodos de entrenamiento se reportará de inmediato al Gerente de Seguridad, para una revisión del análisis y reporte adicional según se requiera.

Respuesta Durante la Pre-carrera (Caballeriza)

- El Equipo 2 de EMT estará situado en el área de caballerizas durante las actividades de pre-carrera para responder a una emergencia que ocurra en el área de las caballerizas.
- Si ocurre una emergencia se avisará al Despacho de Seguridad de inmediato.
- El Gerente del Programa de Salud y Seguridad de DMTC o Ayudante responderá al incidente.
- El despacho de seguridad avisará al centro médico del sitio de que ha ocurrido un accidente.
- Se solicitará ayuda médica adicional de los recursos municipales locales, según se necesite,
- La Seguridad de DMTC responderá al incidente y ayudará con el control de la multitud. Si se necesita seguridad se proporcionará escolta hasta el centro médico.

Accidentes Durante la Carrera en Directo

- La unidad ALS-Equipo 1 que sigue el campo de carreras responderá de inmediato a los accidentes en la pista; simultáneamente, el ayudante médico y médico en la pista se les pondrá en conocimiento del incidente contactándoles por medio de radio, la observación de la carrera se hará por medio de un circuito cerrado de televisión según lo aconsejado por el Personal de Seguridad de DMTC,

EXHIBIT 12

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- La unidad ALS-Equipo 2 estará preparada por el centro médico para ayudar o reemplazar a la unidad de la pista si fuera necesario por el Equipo 1 abandonar la pista por cualquier razón.
- Si un incidente requiere ambulancia deberá abandonar la pista antes de que empiece la carrera, el Equipo 2 se desplazará a una posición al cajón de salida. Cuando esto ocurre el Equipo 2 avisará a los comisarios por medio de radio de que están en su lugar.
- Si por cualquier razón el Equipo 2 no está disponible se avisará de inmediato a los comisarios CHRB por medio del canal oficial.
- Se pedirá asistencia médica adicional desde los recursos municipales locales, según se necesite,
- Se transportará a los jinetes a una instalación médica en el sitio para una revisión inicial, observación y emergencia. Si el Paramédico considera que se necesita transporte de inmediato al hospital se alertará a Seguridad de que se llevará al jinete directamente al hospital (los Paramédicos tienen contacto por radio con Scripps La Jolla y se les avisará directamente del transporte). La Gerencia de Riesgo avisará a los Oficiales.
- En la medida de lo posible, los profesionales ofrecerán toda la atención médica dentro del centro médico de DMTC,
- El personal de Seguridad de DMTC responderá de inmediato al centro médico para ayudar con la gerencia del evento y control de acceso al centro médico,
- Dependiendo de la naturaleza y gravedad de las lesiones, se podrá trasladar al jinete a uno de los hospitales locales señalado dentro de este plan para atención médica exhaustiva y tratamiento según se necesite,
- Cualquier accidente en la pista durante la carrera en directo se reportará de inmediato al Gerente de Seguridad, para una revisión del análisis y reporte adicional según se requiera.
- Cuando una de las unidades de ALS se requiere que abandone los campos la Seguridad de DMTC avisará de inmediato y se le instruirá llamar a North Com para cualquier atención médica hasta que regrese la unidad al terreno.

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- El Departamento de Gerencia de Riesgo proporcionará la documentación del Sistema de Salud de Información al jinete y Compensación de los Trabajadores al hospital.

Por favor tenga presente: Bajo ninguna circunstancia la información con respecto al estado médico del jinete se proporcionará a los miembros de los medios u otros. Cualquier petición se referirá de inmediato al Director de Medios o Presidente/Gerente General.

VIII. Exposición de Este Plan

El Plan de Respuesta de Accidente del Jinete en la pista se expondrá en Inglés y Español en las siguientes localizaciones:

La Sala del Jinete está situada en la primera planta de las Gradas del Clubhouse

- a. Las instalaciones médicas en el sitio de DMTC, y
- b. Despacho de Seguridad de DMTC

Las copias adicionales del plan se mantendrán en la oficina del Gerente de Riesgo de DMTC, localizada en el Edificio de Operaciones.

IX. Actualizaciones

Se revisará el plan anualmente antes del encuentro de las carreras en directo de DMTC, los cambios apropiados y actualizaciones que se hagan. Los cambios regulatorios o legislativos que puedan modificar este plan se incluirán al igual que los cambios en los proveedores médicos o servicios de transporte de ambulancia.

- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details):

Berkshire Hathaway Homestate
3300064083-141

- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.

Exhibit 13

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

16. CONCESSIONAIRES AND SERVICE CONTRACTORS

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

Exhibit 14

Does the association provide its own concessions? Yes No

17. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

- A. Attach a copy of the promotional and marketing plans: for the race meeting:

Exhibit 15

- B. Promotional/ Marketing budget for this race meeting:

Promotional/Marketing budget for prior race meeting:

| <u>Category</u> | <u>2014 Fall Meet</u> |
|-----------------------------------|-----------------------|
| Advertising | \$ 1,205,400 |
| Promotions | \$ 422,500 |
| Publicity | \$ 88,000 |
| Corporate Sponsorship Fulfillment | \$ 15,000 |
| Other | \$ 5,000 |
| Total | \$ 1,735,900 |

- C. Number of hosts and hostesses employed for meeting:



EXHIBIT 13

5-61

DELMART-01

MROUSH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/28/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|--|--|
| PRODUCER Bolton & Company 3475 E. Foothill Blvd., Suite 100 Pasadena, CA 91107 | CONTACT NAME: PHONE (A/C, No, Ext): (626) 799-7000 FAX (A/C, No): (626) 441-3233 E-MAIL ADDRESS: | |
| | INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: Philadelphia Indemnity Insurance Co. 18058 INSURER B: Berkshire Hathaway Homestate Insurance Company INSURER C: INSURER D: INSURER E: INSURER F: | |
| INSURED Del Mar Thoroughbred Club PO Box 700 Del Mar, CA 92014-0700 | | |

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|--------------------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | X | PHPK1145374 | 03/15/2014 | 03/15/2015 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS | | PHPK1145374 | 03/15/2014 | 03/15/2015 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$ |
| A | <input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 | | PHUB452432 | 03/15/2014 | 03/15/2015 | EACH OCCURRENCE \$ 15,000,000 AGGREGATE \$ 15,000,000 |
| B | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below | N/A | 3300064083141 | 03/31/2014 | 03/31/2015 | <input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The Certificate Holder is included as Additional Insured as required by written contract or agreement per attached endorement.

CERTIFICATE HOLDER

CANCELLATION

California Horse Racing Board (CHRB)
1010 Hurley Way, Suite 300
Sacramento, CA 95825

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

PI-AM-002 (12/08)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – CERTIFICATE HOLDERS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SECTION II – WHO IS AN INSURED is amended to include any Certificate Holder, identified as an additional insured, on a Certificate of Insurance issued by Philadelphia Indemnity Insurance Company or our authorized representative, but only for liability arising out of the negligence of the named insured.

The limits of insurance applicable to these additional insureds are the lesser of the policy limits or those limits specified in a contract or agreement. These limits are inclusive of and not in addition to the limits of insurance shown in the declarations.

EXHIBIT 14**CONCESSIONS:**

SMG PREMIER
7966 Arjons Drive
San Diego, CA 92126

TIP SHEETS:

Bruce M. Andrews, Jr.
Deuce Bruce
5910 Rancho Mission Rd. #33
San Diego, CA 92108

Bob Baedeker
Baedeker, Inc.
130 West El Portal
San Clemente, CA 92672

John Acquarelli
Duke Racing Selections
4615 Triesta
Carlsbad, CA 92010

Toby Turrell
Winners
14112 Enfield Circle
Westminster, CA 92683

Tiffany Bohland
Bob's Card, Inc.
166 Halifax Lane
Medina, OH 44256

SADDLERY SERVICES:

Jarry Hobson
Hobson Saddlery
28 North 1st Avenue
Arcadia, CA 91066

Frank Wipfli
Western Saddlery, Inc.
7038 Commerce Circle
Pleasanton, CA 94588

RACING COLORS:

June Gee
West Coast Racing Colors
11920 Goldring Rd. Ste G
Arcadia, CA 91006

MISCELLANEOUS CONCESSIONS/SERVICES:

Tony Vasquez
Garda Cash Logisitics
8807 Complex Drive
San Diego, CA 92123

Rayetta Burr
Benoit & Associates, Inc.
Track Photographers
PO Box 60014
Arcadia, CA 91066-6014

Michael Costello
United/Puett Electrical Starting
Gates
224 Tater Hill Rd.
East Haddam, CT 06423

**Scripps Coastal Medical
Center**
Track Physicians
380 Stevens, #100
Solana Beach, CA 92075

Steve Stiles
**Stiles Animal Removal
Inc.**
P.O. Box 1103
Guasti, CA 91743-1103

Deven Owen
West Coast Feed
PO Box 893007
Temecula, CA 92589

Gary S. Bell
Citrus Feed
PO Box 249
La Verne, CA 91750

Angel P. Unamuno
Angel's Feed
4518 Rowland Ave
El Monte, CA 91731

Michael Brunner
Westwalk Corp.
Hotwalkers
2711 N. Sepulvada Blvd. # 312
Manhattan Beach, CA 90266

We employ approximately 27 customer service representatives on weekdays (Thursdays and Fridays) and 42 on weekend (Saturdays and Sundays).

D. Describe facilities set aside for new fans:

At Del Mar, virtually the entire facility is considered a new fan area, with customer service locations on every floor and in every betting area and with a complete staff of customer service representatives moving about the facility. In addition, a large portion of new fans are introduced to racing through our Group Sales department which provides customized introductions to racing or the day's card tailored to individual groups. Del Mar also offers a variety of free seminars and handicapping education for more serious newcomers.

E. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. Horsemen

- Screening of Polytrack surface
- Widening of Turf Course to Eighty (80) Feet
- Installation of stable area rain gutters and storm basins (restricted area)
- Ongoing replacement of stairways, balconies and shed row posts in stable area living quarters (restricted area)
- Ongoing replacement of flooring, doors, locks, window screens in living quarters (restricted area)
- Ongoing replacement of morning workout lights (restricted area)
- Ongoing replacement of electrical outlets in stable area restrooms to GFCI protected (restricted area)
- Repair all stable area smoke detectors (restricted area)
- Ongoing replacement of water service to miscellaneous barns in stable area (restricted area)
- Backfill all stable area stalls with decomposed granite (restricted area)
- Renovation of miscellaneous restrooms, tack rooms and living quarters in stable area (restricted area)
- Ongoing replacement of exterior electrical outlets and wall lights in stable area (restricted area)

2. Fans

- New Infield LED Tote Board
- High-Definition Television Production
- New Trackside (Jockey Box) and Paddock (Paddock Tavern) Restaurants
- ADA Handrail Improvements
- Ongoing replacement of television monitors with flat screen monitors throughout facility
- Ongoing installation of wireless technology throughout facility
- Replaced carpet in miscellaneous Turf Club, Clubhouse and Grandstand areas
- Stretch Run admission gates were expanded and repositioned to enhance the fan entry process.

3. Facilities in the restricted areas

See 17-E-1

18. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from the previous year:

Initial Fall Meet 2014

| | |
|-------------------------------|--|
| Admission | \$6.00 (\$3.00 with Diamond Club) |
| (includes official program) | \$25.00 (Season Pass-Sold pre-season through July 17) |
| Reserved Seating | \$4.00 Thurs & Fri, \$8 Opening Day, \$8 Sat & \$6 Sun |
| Parking (general, single day) | \$10.00 |
| Parking (general, advance | |
| Discount book of 10) | \$50.00 |
| Parking (Valet) | \$20.00 |
| Programs (on-track) | Included with paid admission |
| Programs (off-track) | \$2.25 |

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

| | |
|---|--------------------------------|
| Season Turf Club Membership (2 persons, includes Summer and Fall meetings): | \$1,500.00 |
| Season Turf Club Membership (1 person, includes Summer and Fall meetings): | \$1,100.00 |
| Daily Turf Club Admission (member guests): | \$40.00 (\$60 on Opening Day) |
| Daily Turf Club Admission (non-member): | \$60.00 (\$100 on Opening Day) |
| Stretch Run & Clubhouse Season Box Seats: | \$85 - \$100 per seat |
| Season Reserved Seat: | \$70.00 |

C. Describe any "package" plans such as combined parking, admission and program: Turf Club memberships include valet parking. All paid admissions include official programs.

19. JOCKEYS/DRIVERS' QUARTERS

- A. Check the applicable amenities available in the jockeys/drivers' quarters:

| | | | |
|-------------------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | Corners (lockers and cubicles) | How many | <input type="text" value="73"/> |
| <input checked="" type="checkbox"/> | Showers | <input checked="" type="checkbox"/> | Steam room, sauna or steam cabinets |
| <input checked="" type="checkbox"/> | Masseur | <input checked="" type="checkbox"/> | Food/beverage service |
| | | <input checked="" type="checkbox"/> | Lounge area |
| | | <input checked="" type="checkbox"/> | Certified platform scale |

- B. Describe the quarters to be used for female jockeys/drivers:

Includes a locker area (2), shower area, sauna area, lounge area, food and beverage service and a certified scale.

20. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing was completed by (name) _____ on (date) _____.

Inspection of backstretch housing will be completed by CHRB staff on a date to be determined.

- B. Number of rooms used for housing on the backstretch of the racetrack:

666 permanent

- C. Number of restrooms available on the backstretch of the racetrack: **83**

- D. Estimated ratio of restroom facilities to the number of backstretch personnel:

17.5 workers to 1 restroom facility

21. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: feet.

- B. Describe the type of track surface at the facility, including the specific track surface composition:
The main track surface is a Polytrack Engineered Running Surface. The surface consists of a 7" mixture of silica sand, recycled rubber, fibers and wax on top of a layer of reinforced filter fabric. Underneath is 2-1/2" of a porous macadam followed by 4" clean stone, a layer of filter cloth and 6" round perforated drain pipe on top of the existing dirt sub-base.

The turf course consists of GN-1 Bermuda grass sod with a growing medium consisting of 9" of silica sand mixed with peat and turf grids blended into the top 6".

- C. POLYTRACK:

The percent of cross slope in the straight-aways is: **0.5%**

The percent of cross slope in the center of the turns is: **3%**

TURF:

The percent of cross slope in the straight-aways is: **1.5%**

The percent of cross slope in the center of the turns is: **5%**

- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type

of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.

Main Track:

Fontana Inner rail: Aluminum. Outer rail: Galvanized Steel Tubing. Inner rail supports: Aluminum with 33" offset. Coverings: Fontana Safety panels. Approximate height of the top inner rail: 40".

Turf Track:

Inside running rail: Mawsafe pvc injection molded

Inside rail supports: Mawsafe pvc with 16" offset

Approx. height: 47"

Outside running rail of the turf course Mawsafe pvc injection molded.

Outside rail supports Mawsafe pvc-with 16" offset

Approximate height 47"

- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Robert Sanchez, Vice President, Plant**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On File.**
- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **On File**

22. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **Exhibit 17**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044. **Fall Meet agreements with CTT and TOC - in negotiations**
- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **On File**
- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No exceptions**

- E. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No exceptions**

NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

23. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

Thomas S. Robbins
Print Name

Signature

Executive Vice President, Racing
Print Title

Date

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD
REGARDING THE PRESENTATION FROM EQUILOTTERY, WHICH ALLOWS
LOTTERY PLAYERS TO PURCHASE TICKETS ON LIVE HORSE RACES BY
COMMINGLING IN THE WAGERING POOLS

California Horse Racing Board Meeting
September 24, 2014

BACKGROUND

EquiLottery is a new wagering concept combining horse racing with state lotteries. EquiLottery allows lottery players to purchase tickets on live horse races by commingling in horseplayer wagering pools. Each \$2 wager is divided equally between the two. The half for horse racing is commingled in racetrack wagering pools and then distributed in the same manner as normal wagers. The other half goes to the lottery, part of which is placed in a supplemental pool, fuelled solely by lottery players and paid out only to lottery players e.g. divided among winners.

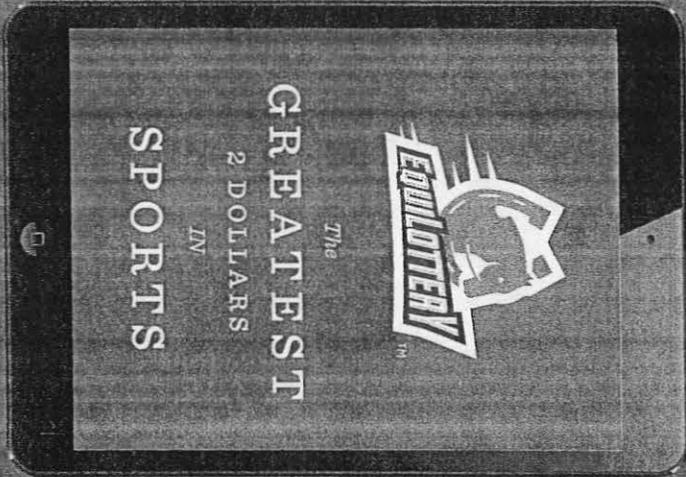
Brad Cummings, President and CEO of EquiLottery, LLC, is prepared to make a presentation to the Board on EquiLottery.

RECOMMENDATION

Staff recommends the Board hear from EquiLottery representative, Brad Cummings.

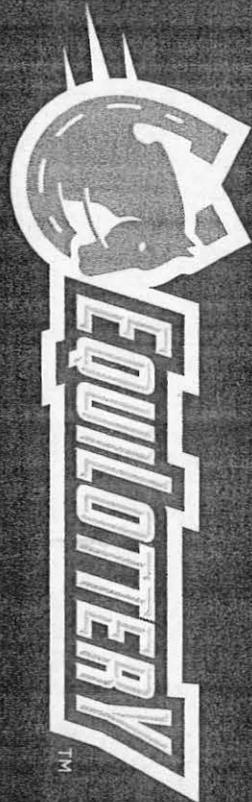
EquiLottery Media Highlights*Since July 9, 2014*

1. Bill Oppenheim: EquiLottery for Dummies
Thoroughbred Daily News
2. EquiLottery Goal: Increase Pari-Mutuel Pools
Blood-Horse
3. EquiLottery: An Open Letter to the Industry
Paulick Report
4. EquiLottery Wins Support from Kentucky Farms
Blood-Horse
5. Racing, Lottery Marriage Could Prove Greatly Beneficial for Sport
Harness Racing Update
6. EquiLottery Combines Lottery and Horse Racing
America's Best Racing
7. TDN Q & A: EquiLottery President & CEO Brad Cummings
Thoroughbred Daily News
8. EquiLottery Partners with La Fleur's
Standardbred Canada
9. EquiLottery 'Real Chance to Be a Game Changer'
Harness Racing Update
10. EquiLottery CEO to Speak at Saratoga Institute on Racing & Gaming Law
Paulick Report
11. West Virginia Discusses ADW, Instant Racing, EquiLottery
Blood-Horse
12. EquiLottery to Make New Mexico Presentation
Blood-Horse
13. EquiLottery Gains Support from Ontario Harness Horse Association
Standardbred Canada



Introduction to
EquiLottery™

California Presentation



**A New Vision for
Lottery and Horse Racing**

What is EquiLottery?

1

**Found anywhere lottery tickets
are sold without any hardware
modifications to existing machines.**

What is EquiLottery?

2

**Combines lottery player and
horseplayer prize pools for dynamic
payouts on live races.**

What is EquiLottery?

3

Gives novices an easy-to-understand method to play the races without the usual steep learning curve.

What is EquiLottery?

4

Provides profit margins in line or better than other lottery products while adding up to 15% new players to lottery customer base.*

*Based on polling conducted by Cardinal Communications in May of 2012

© 2014 EquiLottery Corp.

What is EquiLottery?

5

**Provides new game for lottery
customer base projected to generate
\$140m in annual revenue for the
California Lottery.***

*Based on analysis in report
conducted by Gaming Laboratories
International (GLI)

© 2014 EquiLottery Corp.

What is EquiLottery?

6

**Based on analysis in report
conducted by Gaming Laboratories
International (GLI)*

**Adds \$151m annually to California
racetrack handle and over \$35m in
takeout revenue. Creates multi-state
spotlight on top races.**

What is EquiLottery?



Can be initiated legally without requiring legislative changes under the same structure as multi-state lottery games.

§ 8880.30. Method for Determining Winners

(a) A lottery game may be based on the results of a horse race with the consent of the association conducting the race and the California Horse Racing Board.

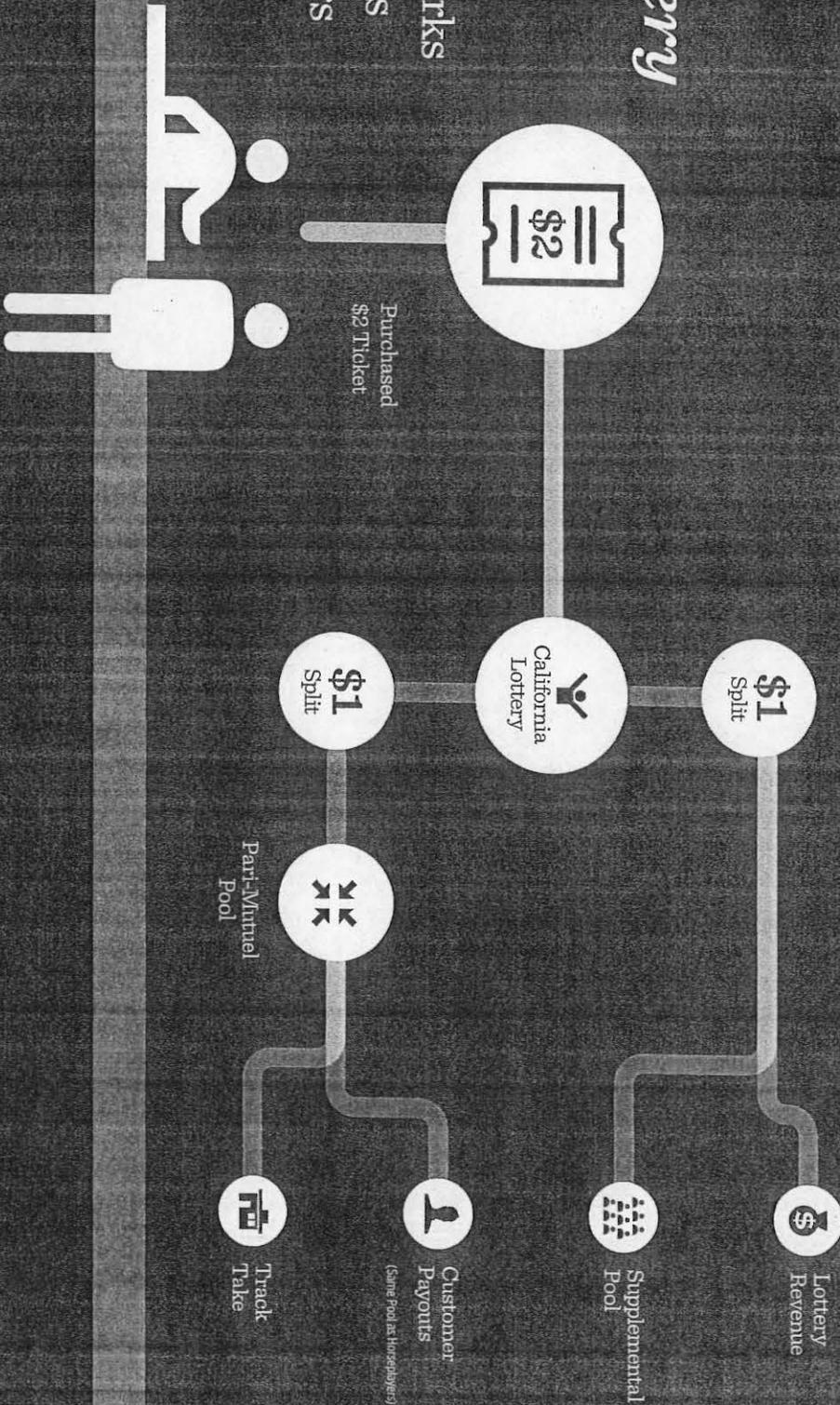
What is EquiLottery?

8

**A quick pick based live action game
customizable to suit the evolving
demands of lottery players.**

How does EquiLottery work?

EquiLottery works for exotic wagers of three numbers or more.



Why does EquiLottery work?

**Horseplayer pool of money
reduces effective takeout,
providing dynamically larger
payouts, and adds fresh
excitement to lottery experience.**



**Lottery Player
Perspective**

Why does EquiLottery work?

Lottery pool is a random odds
influence which increases payouts,
therefore drawing additional
horseplayer funds to markets
where EquiLottery is played.



**Horseplayer
Perspective**

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 24, 2014
REGULAR BOARD MEETING

There is no board package material for Item 7

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 24, 2014
REGULAR BOARD MEETING

There is no board package material for Item 8