

Application is hereby made to the California Horse Racing Board (CHRB/Board) for a license to operate a minisatellite wagering facility in connection with a horseracing meeting and/or parimutuel wagering in accordance with the Business and Professions Code, Chapter 4, Division 8 (Horse Racing Law) and the California Code of Regulations, Title 4, Division 4 (Rules and Regulations of the California Horse Racing Board).

**Part I:** To be completed by applicant seeking to operate a minisatellite wagering facility pursuant to Business and Professions Code section 19605.25.

**Part II:** To be completed by association(s) that has/have reached an agreement with the applicant to conduct minisatellite wagering.

**Part III:** To be completed by simulcast organization that has reached an agreement to provide services necessary for the conduct of minisatellite wagering pursuant to Business and Professions Code sections 19605.25 & 19605.3.

**PART I  
 MINISATELLITE WAGERING APPLICANT INFORMATION**

APPLICANT INFORMATION		
Name of applicant: The applicant is: <input type="checkbox"/> Racing Association <input type="checkbox"/> Fair <input type="checkbox"/> Federally Recognized Indian Tribe	<input type="checkbox"/> Card Room/Gambling Establishment <input type="checkbox"/> Restaurant/Bar <input type="checkbox"/> Other Business Entity	
Facility street address:		
Mailing address (if different from above):		
E-mail address:		
City:	State:	Zip Code:
Phone:	Fax:	Website:
County:	Zone Location: North <input type="checkbox"/> South <input type="checkbox"/> Central <input type="checkbox"/> (To be completed by CHRB staff)	

CONTACT PERSON (Authorized Representative)		
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Name and title of the contact person:		
Business street address:		
Mailing address (if different from above):		
City:	State:	Zip Code:
County:		
Phone:	E-mail:	Fax:

State of California  
 California Horse Racing Board  
 Application for License to Operate a Minisatellite Wagering Facility  
 CHRB-88 (New 11/08)

Dates during which the applicant proposes to operate as a minisatellite wagering facility:

**NOTICE TO APPLICANT:** If approved for license, the term of license shall not exceed two years pursuant to Business and Professions Code section 19605.25 (h).

Have you previously operated a licensed gaming operation in California or another state? Yes  No.

Do you currently operate a licensed gaming operation in California or another state? Yes  No.

If yes to either question above, provide the following:

Valid licensure period: Begin Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Facility name and address:

City:	State:	Zip Code:
County:		

Zone Location: North <input type="checkbox"/> South <input type="checkbox"/> Central <input type="checkbox"/> (To be completed by CHRB staff)
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Have you had a gaming operation license that has been revoked or suspended. Yes  No.

If yes, provide the following if different from above:

Facility name and address:

City:	State:	Zip Code:
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Racing Jurisdiction:

**BUSINESS STRUCTURE**

<input type="checkbox"/> Corporation <input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Sub-S <input type="checkbox"/> Sub-C <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Partnership & Joint Venture <input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other If you have listed your company as other please identify your company structure:
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Registered Business Name: \_\_\_\_\_

Fictitious Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

City:	State:	Zip Code:
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Phone:	Fax:
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State where registered or Articles of Organization are filed:	Registry or File number:
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State of California  
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Name of all officers, directors, and managers. For officers, directors, and managers that have no ownership, enter "0%" in the ownership column. For members of a Limited Liability Company, list membership interest in ownership column. For partners, following the individual's name indicate whether general or limited partners. (true names)

Entity/Individual Name and Title	Entity's Business Address/ Individual's Address of Record	Ownership% (if any)	Compensation Agreement

Are shares listed for public trade? Yes  No  If yes on what stock exchange?

If more than 50 percent 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.

**All entities that own 5 percent or more must fulfill the instructions for Full Disclosure Statement.**

Attach the most recent annual financial statement for the applicant, including balance sheet and profit and loss statement, and a 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.

**MANAGEMENT AND STAFF**  
**(Minisatellite Wagering Facility)**

Name and title of the managing officer(s) and/or general manager(s) of the business.

Name	Title

**ASSOCIATION CONTRACT/AGREEMENT**

Name(s) of racing association(s) with whom you intend to have a contract or agreement:

Addresses of racing association(s):

Racing association(s) phone numbers:

Proposed contract dates: From:            To:            (inclusive).

Attach a certified check payable to the Treasurer of the State of California in the amount of \$500 for the nonrefundable minisatellite application fee.

**CHRB CERTIFICATION**

Application filed on:	30-day Notice Letter:
Fee received by:	Approved on:
Reviewed by:	License number issued:

**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 applicant contractor to attest to this application on its behalf.

Name	Signature of Applicant Representative
Title	Date:

## **INSTRUCTION SHEET FOR FULL DISCLOSURE STATEMENT**

### **Background Information and Ownership**

By authority of Chapter 4, Division 8, sections 19420 and 19440 of the California Business and Professions Code; and to allow an evaluation of the competence, integrity, and character of potential licensees, all applicants for license as contractors, sub-contractors and all concessionaires applying for Board approval, including any person, corporation, trust, association, partnership or joint venture which submits an application for license or approval shall comply with the provisions set forth below. Please use a separate sheet of paper to supply the requested information.

#### **I. BACKGROUND INFORMATION**

- (A) **PERSONAL INFORMATION** - Application documents must include for each individual who is a director, officer, or partner in the application, or an owner of an interest in the applicant of 5 percent or more:
- (1) The individual's full name and any previous names or aliases;
  - (2) the individual's date of birth;
  - (3) a physical description of the individual;
  - (4) the individual's business addresses and telephone numbers and
  - (5) a disclosure of employment, educational and military history for the past 20 years or since the age of 18 years.
- (A1) **PERSONAL HISTORY** - Application documents must include a completed Personal History Record, CHRB-25A, for each individual named in subsection (A) who is a director, officer, or partner in the application or an owner of an interest in the applicant of 5 percent or more.
- (B) **RELATIONSHIP** - The application documents must state, for each individual providing information under subsection (A) of this section, whether the individual is related to a member of the California Horse Racing Board or an employee of the Board. A half-relationship or step-relationship is considered to be a familial relationship for purposes of this section.
- (C) **CORPORATIONS** - If the applicant is a corporation, the application documents must state:
- (1) The state in which the applicant is incorporated and
  - (2) the name and address of the applicant's agent for service of process in California.
- (D) **INDICTMENTS OR CONVICTIONS**
- If the applicant is a corporation, the application documents must include a statement disclosing whether the corporation is presently or has ever been indicted or convicted of a criminal offense, e.g., felony or misdemeanor.

#### **II. OWNERSHIP**

- (A) **IDENTIFICATION AND LOCATION** - The application documents must include:
- (1) A list of all names used by the applicant; and
  - (2) the name of the agent and the address and telephone number of the office of the applicant for service of process in California.
- (B) **BUSINESS STRUCTURE** - The application documents must describe the applicant's business structure and

include an organizational chart.

- (C) ORGANIZERS - If the applicant is not an individual and was organized less than five years before the date on which the application documents are submitted to the Board, the application documents must state:
- (1) The name of each individual who was an organizer or promoter of the applicant;
  - (2) the nature and amount of assets, services, or other consideration contributed to the applicant by an organizer or promoter of the applicant; and
  - (3) the nature and amount of anything of value given by the applicant to an organizer or promoter of the applicant.
- (D) ORGANIZATIONAL DOCUMENTS
- (1) If the applicant is a corporation, the application documents must include:
    - (a) A statement of when and in what state the corporation was organized;
    - (b) a certified copy of the articles of incorporation and by-laws of the applicant;
    - (c) a statement and documentation of whether the corporation has been reorganized or reincorporated during the five year period preceding the date on which the application documents are submitted to the Board; and
    - (d) a statement and documentation of whether the corporation has filed restated articles of incorporation.
  - (2) If the applicant is an unincorporated business association, the application documents must include:
    - (a) A certified copy of each organizational document for the applicant, including any partnership agreement; and
    - (b) a description of any oral agreements involving the organization of the partnership.
- (E) CAPITAL STOCK
- (1) If the applicant is authorized to issue capital stock, the application documents must include the information required by this section.
  - (2) The applicant must state the classes of stock authorized and the total shares of each class authorized. The applicant must state, for each class of stock:
    - (a) The par value, if any;
    - (b) the voting rights;
    - (c) the current rate of dividend; and
    - (d) the number of shares outstanding and the market value of each share.
  - (3) The application documents must list the name and address of each person who owns, of record or beneficially, at least 5 percent of stock. For each person listed under this subsection, the application documents must describe the nature of the person's ownership interest and the person's percentage of the total ownership interest.
  - (4) The application documents must include a certified copy of each voting trust or voting agreement in which at least 5 percent of the capital stock is held and must state:
    - (a) The name and address of each stockholder participating in the trust or agreement;
    - (b) the class of stock involved; and
    - (c) the total number of shares held by the trust or agreement.

**(F) DIRECTORS, OFFICERS, AND PARTNERS**

- (1)** If the applicant is not an individual, the application documents must include a list of the individuals who are serving or who are designated to serve, during the first year after the date the application documents are submitted to the Board, as a director, officer, or partner of the applicant.
- (2)** The list must state, for each individual listed under subsection (1) of this section:
  - (a)** The individual's name and business address;
  - (b)** each position or office of the applicant held by the individual;
  - (c)** the individual's principal occupation during the five-year period preceding the date on which the application documents are submitted to the Board; and
  - (d)** the nature and extent of any ownership interest that the individual has in the applicant.
- (3)** Application documents must include a completed Personal History Record, CHRB-25A, for each individual named under subsection (1) of this section.

**(G) CONTROLLING ENTITY**

- (1)** The application documents must state whether another entity exercises or is in a position to exercise control in the management or financial affairs of the applicant. The documents must describe the nature of the relationship between the entity and the applicant and the extent of control exercised by the entity.
- (2)** If a non-individual entity owns an interest of 5 percent or more in the applicant, the application documents must include the information required by subsection (1) of this section as it relates to the non-individual entity.
- (3)** The application documents must include information required by subsection (2) of this section for each non-individual entity identified in the application documents to the extent necessary to determine the identity of each individual who is an indirect holder of an ownership interest in the applicant.

**(H) OUTSIDE INTERESTS AND LICENSE HISTORY**

- (1)** The application must state whether the applicant or a director, officer, or partner of the applicant;
  - (a)** Has ever held an ownership interest in a licensee of the Board; or
  - (b)** is currently engaged in the business of racing in another state.

**PART II**

**CONTRACTED ASSOCIATION INFORMATION**

One copy of Part II shall be completed by each contracted association

Name and mailing address of association:

Telephone:

Fax number:

Racetrack name:

Name and title of the person(s) authorized to receive notices on behalf of the association in conjunction with this applicant application for approval to operate a minisatellite wagering facility:

Name

Signature of association representative

Title

Date:

**PART III**  
**SIMULCAST ORGANIZATION INFORMATION**

To be completed by approved simulcast organization that has executed an agreement approved by the CHRB with the association conducting a racing meeting with the minisatellite wagering facility pursuant to Business and Professions Code sections 19605.25 and 19605.3.

**I. OPERATION OF THE MINISATELLITE WAGERING FACILITY**

Simulcast organization engaged by the association to conduct simulcast wagering:

Attach the agreement between the association and simulcast organization permitting the minisatellite wagering facility 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.

Submit a copy of each horsemen's written approvals.

Hours for operation of the facility:

Hours for operation of the minisatellite wagering site:

Time periods during the calendar year the facility **will not** be utilized as a minisatellite wagering facility (explain why):

If approved, wagering will be offered on live race meetings being held or conducted by the following California racing association(s):


List the host track from which the minisatellite wagering facility proposes to import out-of-state and/or out-of-country 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":

Estimated number of pari-mutuel terminals machines available:

Attach a proposed staffing plan for the facility and/or minisatellite wagering site, to include the number of security personnel and the number of pari-mutuel clerks pursuant to Business and Professions Code section 19605.25 (5)(b).

**II. SUPERVISION, SECURITY AND FIRE PREVENTION**

Changes to management personnel and minisatellite manager(s)  
must be immediately reported to the Board.

Name of the individual(s) responsible for the day-to-day operation of the minisatellite facility:

Name and Title	CHRB License No. and Expiration Date

Attach a certificate of insurance for workers' compensation coverage including carrier and the policy number securing the applicant's liability for payment of workers' compensation is (if self-insured, provide details):

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Attach a fire clearance from the fire authority having jurisdiction.

Attach a security plan to include: the name, title and phone number of the person having responsibility for security controls, the number of security officers and/or guards and the police or sheriff's department having jurisdiction for criminal law enforcement over the premises of the facility.

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Is there a backup emergency plan for power failure? Yes  No

If yes, describe.

### III. MINISATELLITE WAGERING SITE

Attach a detailed scale plan of the facility indicating all points of access to facility, emergency exits, placement of offices, and food and beverage service location and detailing the location of the proposed minisatellite wagering site. Identify how the designated minisatellite wagering area will be restricted to patrons 21 years and over. Attach photos of the minisatellite wagering site.

**NOTICE TO APPLICANT.** Pursuant to Business and Professions Code section 19605.25(a) (4) wagers placed at a minisatellite site must be in an area that is restricted to those who are 21 years of age or older.

### IV. FACILITY DESCRIPTION

Describe the food and beverage services to be offered (full meals served; cafeteria-style full meals; short-order counter service; pre-ordered prepared sandwiches and fast foods available; full bar services; or other description as appropriate):

The seating capacity in the minisatellite wagering facility is:

The number of tables in the minisatellite wagering area is:

Overall square footage in the minisatellite wagering area is:

Attach a photograph of the minisatellite wagering area.

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Describe occupancy restrictions, if any, imposed by the fire authority having jurisdiction:

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The total number of parking spaces available in the parking areas can accommodate (number of standard sized automobiles):

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Describe any other activities to be scheduled on or near the facility premises that may have a negative impact on available parking:

### V. EQUIPMENT PROVIDED BY THE MINISATELLITE WAGERING FACILITY

Describe the television equipment (satellite receivers, decoders, controls, monitors, etc.) to be utilized at the facility:

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Describe the public address equipment (controls, microphones, speakers, etc.) to be utilized at the facility:

**VI. ADVERTISING AND PATRON DEVELOPMENT**

Describe any advertising or promotional plans:

Describe any improvements to the facility that will directly benefit minisatellite wagering:

**NOTICE TO APPLICANT:** Pursuant to Board Rule 2066 all advertisement shall contain a statement that persons under 21 are not allowed to participate in minisatellite wagering. All advertisement shall contain contact information for a recognized problem-gambling support organization.

**VII. ADMISSIONS, CHARGES AND SERVICE FEES**

Complete if applicable and note N/A if not

Admissions charges, if any, are:

Parking charges, if any, are:

Program charges, if any, are:

Seating charges, if any, are:

**VIII. RENEWAL**

Complete this section only if renewing your license.

Is this a renewal application: Yes  No

Have there been any changes since the submission of your last application for authorization to operate a minisatellite wagering facility? Yes  No

Have any changes occurred affecting ownership or controlling interest in your business structure or establishment since your last application? Yes  No

If you have answered, "Yes", to any of the questions above please attach a detailed statement describing the change.

How many years have you been an approved minisatellite wagering facility?

**AGREEMENTS**

Attach copies of **all applicable county, city or agency agreements** that may affect the minisatellite wagering facility.

**NOTICES TO APPLICANT**

Notice is given to the applicant that its application, if approved by the Board, authorizes the applicant to offer pari-mutuel wagering at its minisatellite wagering facility for a period of two years per Business and Professions Code section 19605.25(h).

Notice is given that retention of and control over all moneys generated from pari-mutuel wagering held or conducted at the facility is the responsibility of the simulcast organization(s) which contract(s) to provide the pari-mutuel equipment and pari-mutuel employees; and that such organization(s) is (are) responsible for its proper distribution in accordance with the law and the rules and regulations of the Board.

Notice is given that CHRB Rules 1870 and 1871 require that the Board be given 15 days notice in writing of any intention to terminate operations, engagements, or services by any licensee, or approved contractor.

**DECLARATIONS**

All labor agreements, concession contracts, service contracts, horsemen's agreements, lease agreements, agreements with the simulcast organization(s) necessary to conduct and operate the simulcast wagering program at the facility, lease or rental agreement with the facility landlord and all applicable county, city or agency agreements that may affect the minisatellite wagering facility have been finalized except as follows (if there are no exceptions, so state):

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 license except as follows (if there are no exceptions, so state):

Absent natural disasters or causes beyond the control of the applicant, its service contractors, concessionaires or employees engaged at the facility, no reasons are believed to exist that may result in a stoppage to the conduct of pari-mutuel wagering at the facility or the withholding of any vital service to the applicant except as follows (if there are no exceptions, so state):

By authority of Article 9.2, Chapter 4, of the Business and Professions Code; and the Federal Indian Gaming Act; to allow an evaluation of the competence, integrity, and character of potential simulcast facility operators, any person, corporation, trust association, partnership, joint venture, or management firm who submits an application for such license or who is named in such application and who is not a State or County entity, or has not previously completed such disclosure when filing for a horseracing application pursuant to Article 4, section 19480 of the Business and Professions Code shall be required to complete and submit a full disclosure statement.

**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 applicant to attest to this application on its behalf.

Print name of minisatellite facility applicant representative:	Date:
Signature of minisatellite facility representative:	Date:
Print name of association representative:	Date:
Signature of association representative:	Date:
Print name of simulcast organization representative:	Date:
Signature of simulcast organization representative:	Date: