

Agenda Item #7

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Churchill Downs Technology Initiatives Company)
for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by Churchill Downs Technology Initiatives Company d/b/a TwinSpires (hereinafter “the Applicant” or “TwinSpires”) on or about October 31, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about October 31, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of Churchill Downs Technology Initiatives Company d/b/a TwinSpires to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.* Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider TwinSpires' 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about October 31, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the

hearing. The Commission may expand that list prior to or at the scheduled hearing, however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to TwinSpires' 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled November Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this

limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

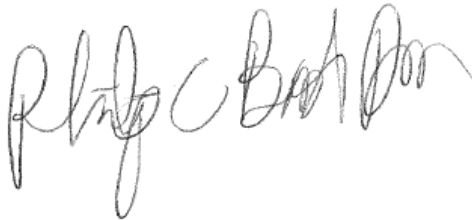
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Benjamin C. Murr
President
Churchill Downs Technology Initiatives Company
600 N. Hurstbourne Pkwy., Suite 400
Louisville, KY 40222

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of the Churchill Downs Technology Initiatives Company (“CDTIC”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for TwinSpire at www.twinspires.com, for live horse racing for BetAmerica at www.horses.betamerica.com, for live horse racing at affiliate Keeneland Select at www.keenelandselect.com, and for live horse racing at affiliate DK Horse at www.dkhorse.com.¹

As a result of this action CDTIC is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

Proposed Order

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Application of ODS Technologies, L.P.)
for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by ODS Technologies, L.P. d/b/a TVG Network (hereinafter “the Applicant” or “TVG”) on or about October 30, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about October 30, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of ODS Technologies, L.P., d/b/a TVG Network to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.* Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider TVG's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about October 30, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the

hearing. The Commission may expand that list prior to or at the scheduled hearing, however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to TVG's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled November Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this

limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

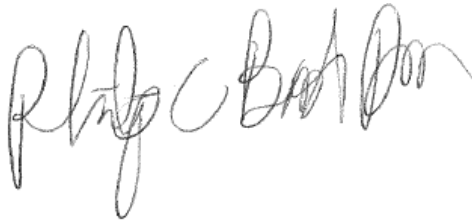
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Nicole Weldon
ODS Technologies, L.P.
d/b/a TVG & FanDuel Racing
6701 Center Drive W. #1000
Los Angeles, CA 90045

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of ODS Technologies, L.P. (“TVG/FanDuel Racing”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for TVG at www.tvg.com and for live horse racing for FanDuel Racing at racing.fanduel.com.¹

As a result of this action TVG/FanDuel Racing is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Application of Premier Turf Club, LLC)
for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by Premier Turf Club, LLC (hereinafter “the Applicant” or “PTC”) on or about October 30, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about October 30, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of Premier Turf Club, LLC to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.*

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider PTC's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about October 30, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

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however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to PTC's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled November Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this

limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

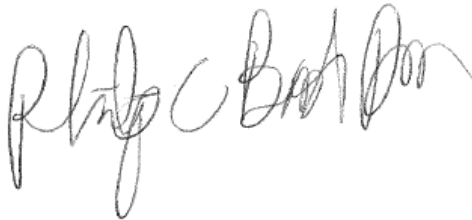
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2023

Alex Smith
Vice President of Regulatory Affairs
Premier Turf Club – Fanatics
95 Morton Street, 7th Floor
New York, NY 10014

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of the Premier Turf Club (“PTC”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for PTC¹.

As a result of this action PTC is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant shall submit updated financial information as required in 71 IAC 9-2.2-3(a)(7).
3. The Applicant shall submit written evidence of approval to conduct advance deposit wagering in each jurisdiction where the Applicant is licensed as required in 71 IAC 9-2.2-3(a)(8).
4. The Applicant shall show proof of good standing in Oregon regarding the Applicant’s hub license before resuming operations in Indiana.
5. The Applicant shall submit a valid Advance Deposit Wagering Source Market Fee Agreement before resuming operations in Indiana.
6. The Applicant shall submit a valid bond or irrevocable letter of credit with the IHRC as obligee before resuming operations in Indiana as required in 71 IAC 9-2.2-5.
7. The Applicant shall submit a valid projected budget covering the upcoming twelve (12) months from the Applicant’s planned restart date before resuming operations in Indiana.
8. The Applicant shall submit a valid website address for the SPMO before resuming operations in Indiana.
9. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.

¹ PTC will provide a valid website address according to Condition 8.



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

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10. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

Proposed Order

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Xpressbet, LLC for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by Xpressbet, LLC (hereinafter “the Applicant” or “Xpressbet”) on or about September 18, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about September 18, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of Xpressbet, LLC to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.* Members of the Commission present at the meeting intend to act as the Administrative Law Judge

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider Xpressbet's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about September 18, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the hearing. The Commission may expand that list prior to or at the scheduled hearing, however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to Xpressbet's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled December Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

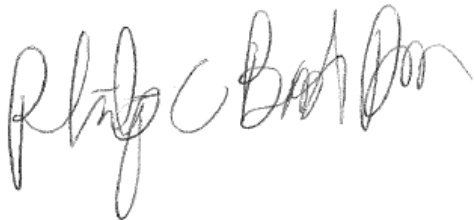
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.

A handwritten signature in black ink, appearing to read "Philip C Borst DVM". The signature is fluid and cursive, with the first name "Philip" being the most prominent.

Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Gene Chabrier
Xpressbet, LLC
Vice President, Regulatory Affairs & Business Development
200 Racetrack Road, Building 26
Washington, PA 15301

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC” or “Commission”) granted the renewal application of Xpressbet, LLC (“Xpressbet”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for Xpressbet at www.xpressbet.com, for live horse racing for Xpressbet Select at www.xbselect.com, for live horse racing for 1st Bet at www.1stbet.com, for live horse racing for BetMix at www.betmix.com, for live horse racing at affiliate DRF Bets at www.drfbets.com, and for live horse racing at affiliate Bet365 at www.bet365racing.com.¹ This SPMO license renewal for 2025 is also granted for handicapping affiliate HorseTourneys at www.horsetourneys.com subject to the following waivers²:

- A. The Commission hereby waives the requirements of 71 IAC 9-2.2-3(a)(12)(I) which states: “Account holders using the affiliate site will be account holders of the licensed SPMO, subject to the same verification process and account operational procedures as any other account holder of the SPMO licensee.”
- B. The Commission hereby waives the requirements of 71 IAC 9-2.2-3(a)(12)(J) which states: “The wagers placed through the affiliate site will be processed through equipment owned and operated by the licensed SPMO.”
- C. The Commission hereby waives the requirements of 71 IAC 9-2.2-3(a)(12)(K) which states: “The licensed SPMO will incorporate all advance deposit wagering of the affiliate site into the source market fee of the licensed SPMO.”

The waivers are granted because the business model of HorseTourneys differs from that of traditional pari-mutuel wagering since no actual wagers are made with HorseTourneys. Therefore, the Commission finds the grant of the waiver to the handicapping affiliate HorseTourneys would ensure that pari-mutuel wagering on horse races in Indiana would continue to be conducted with the highest standards and the greatest level of integrity.

Further, as a result of this action Xpressbet is subject to the following conditions:

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.

² Pursuant to 71 IAC 2-2-1(c), the Commission or the executive director may waive a rule upon a showing of good cause by a licensee, or if compliance with a rule is impractical or unduly burdensome, provided the grant of the requested waiver would ensure that pari-mutuel wagering on horse races in Indiana would continue to be conducted with the highest standards and the greatest level of integrity.



State of Indiana

Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

1. That approval of the Application is subject to compliance with any of the Commission's rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Application of AmWest Entertainment, LLC)
for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by AmWest Entertainment, LLC (hereinafter “the Applicant” or “AmWest”) on or about October 25, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about October 25, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of AmWest, LLC to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.*

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider AmWest's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about October 25, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the hearing. The Commission may expand that list prior to or at the scheduled hearing,

however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to AmWest's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled November Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the November meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this

limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

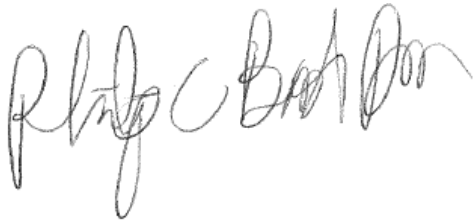
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Nelson E. Clemmens
Chief Executive Officer
AmWest Entertainment, LLC
13011 W. Highway 42, Suite 107
Prospect, KY 40059

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of AmWest Entertainment, LLC (“AmWest”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for AmWager at www.amwager.com.¹

As a result of this action AmWest is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Application of NYRAbets, LLC)
for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by NYRAbets, LLC (hereinafter “the Applicant” or “NYRA”) on or about October 16, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about October 16, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of NYRAbets, LLC to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.*

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider NYRA's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about October 16, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the hearing. The Commission may expand that list prior to or at the scheduled hearing,

however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to NYRA's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled November Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this

limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

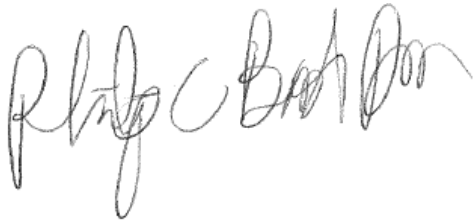
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Antoine Allevato
President
NYRABets, LLC
110-00 Rockaway Boulevard
S. Ozone Park, NY 11417

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of NYRABets, LLC (“NYRA Bets”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for NYRA Bets at www.NYRABets.com and for live horse racing at affiliate Caesars Racebook at www.Caesarsracebook.com.¹

As a result of this action NYRA Bets is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

Proposed Order

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Application of PENN ADW, LLC, d/b/a)
Hollywood Races for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by PENN ADW, LLC, d/b/a Hollywood Races (hereinafter “the Applicant” or “PENN ADW”) on or about October 16, 2024. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about October 16, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of PENN ADW, LLC, d/b/a Hollywood Races to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission¹; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

¹ If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.* Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider PENN ADW's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about October 16, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the

hearing. The Commission may expand that list prior to or at the scheduled hearing, however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by Oregon Racing Commission.

The Application incorporates by reference any documents submitted, considered, or generated with respect to PENN ADW's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the Oregon Racing Commission with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled November Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly, both the Commission Members and members of the public are to be mindful of this

limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

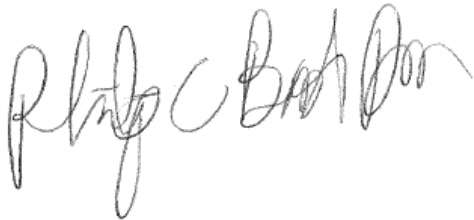
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Christopher McErlean
Vice President – Racing
PENN National Gaming, Inc.
825 Berkshire Boulevard
Wyomissing, PA 19610

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of PENN ADW, LLC (“PENN”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for PENN at www.hollywoodraces.com.¹

As a result of this action PENN is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.

STATE OF INDIANA
BEFORE THE INDIANA HORSE RACING COMMISSION

IN RE:

2025 Lien Games Racing LLC for Secondary Pari-Mutuel)
Organization License Pursuant to 71 IAC 9-2.2 *et seq.*)

**NOTICE OF HEARING AND PRE-HEARING ORDER ON 2025 APPLICATION FOR
SECONDARY PARI-MUTUEL ORGANIZATION LICENSE TO OPERATE ADVANCE
DEPOSIT WAGERING PURSUANT TO 71 IAC 9-2.2 ET SEQ.**

This matter comes before the Indiana Horse Racing Commission (hereinafter “the Commission”) on an Application for Approval as a Secondary Pari-Mutuel Organization (“SPMO”) pursuant to 71 IAC 9-2.2 *et seq.* for the calendar year 2025 (hereinafter “the Application”), submitted by Lien Games Racing LLC (hereinafter “the Applicant” or “Lien Games”) on or about November 26, 2024¹. The Commission, by its Chair, issues this notice and order pursuant to the provisions of the Indiana Administrative Orders and Procedures Act, Indiana Code sections 4-21.5-1-1 *et seq.*

NOTICE OF HEARING

The Commission will hold a hearing on Wednesday, December 17, 2024, *or* as soon as this matter advances on the Commission’s agenda during its regularly scheduled meeting which will commence at 11:00 a.m. at Harrah’s Hoosier Park Casino, Racing Clubhouse, 4500 Dan Patch Circle, Anderson, IN 46013. **IN LIEU OF A HEARING, THE COMMISSION MAY ELECT TO CONDITIONALLY APPROVE APPLICANTS SUBJECT TO ANY ADDITIONAL INFORMATION BEING PROVIDED BY APPLICANT BY THE DATE SET IN THE CONDITIONAL FINAL ORDER.** The Hearing will relate to the following Application that was filed with the Commission on or about November 26, 2024:

2025 Application for Licensure as a Secondary Pari-Mutuel Organization of Lien Games Racing LLC to Operate Advance Deposit Wagering in Indiana, Pursuant to 71 IAC 9-2.2 *et seq.*

The Hearing will be held for the purpose of providing an opportunity for the Applicant to make a presentation of its Application to the Commission²; an opportunity for the Commission to ask questions of any of Applicant’s representatives; and an opportunity for interested nonparty organizations and persons to provide testimony in support of or adverse to the Application.

¹ Because Lien Games was given interim approval as a SPMO for 2024 on November 7, 2024, Lien Games was given until November 20, 2024, to timely file a renewal application.

² If the Applicant has been informed that the Application is considered satisfactory, the Commission will not require the Applicant to make a presentation but may ask questions and allow testimony in support or adverse to the Application.

The Hearing is to be held by the Commission pursuant to the authority granted to it by Indiana Code section 4-31-3-9, Indiana Code section 4-31-7.5-11, and 71 IAC 9-2.2 *et seq.* Members of the Commission present at the meeting intend to act as the Administrative Law Judge for the Hearing. The members include: Philip Borst, Chairman; Bill Estes, Bill McCarty, Gus Levensgood, and Becca McCuaig, Members. David Rothenberg, General Counsel, will act as counsel to the Indiana Horse Racing Commission during these proceedings. Deena Pitman, Executive Director, will also appear for the Commission Staff. Dale Lee Pennycuff, Staff Attorney, is and will act as counsel to the Commission Staff during these proceedings. Mr. Pennycuff may be contacted for information concerning the proposed Hearing schedule, the procedure to be followed at the Hearing, and for inspection of copies of the notice to the parties, at the offices of the Indiana Horse Racing Commission, 1302 N. Meridian St., Ste. 175, Indianapolis, Indiana 46202 (tel. no. 317-233-3119).

PRE-HEARING ORDER

The Commission, by its Chairman, Philip Borst, pursuant to Ind. Code section 4-21.5-3-19(d), issues the following Pre-Hearing Order with respect to the matters described herein:

I. Purpose of the Hearing on Application.

The Commission will consider Lien Games's 2025 Application for Licensure as a Secondary Pari-Mutuel Organization pursuant to 71 IAC 9-2.2 *et seq.* filed with the Commission on or about November 26, 2024, seeking renewal of its license to operate advance deposit wagering in Indiana.

II. Application Process Time Line.

a. Hearing Date and Time

The hearing will commence at Harrah's Hoosier Park Casino at 11:00 a.m. or as soon as it advances on the agenda of the Commission meeting. This matter will be heard and will continue, with appropriate recesses, until completed. The record will be closed at the conclusion of the hearing. Thereafter, the Commission will deliberate on and decide whether the Application will be approved or denied and does not comprehend discussion during the deliberation with the Applicant or other interested parties.

b. Exhibits the Commission Proposes to Make Part of the Record.

A list of exhibits which the Commission intends to make part of the record may be prepared by the Commission's counsel and distributed to the Applicant's representative or counsel for the Applicant on or before the close of business on Thursday, December 12, 2024. It should be understood that even in the absence of filing a list of exhibits, the Commission will offer into evidence the Application and any supplements thereto timely filed by the Applicant. The Applicant must notify the Commission in writing of any exhibit to which it objects on or before noon on Monday, December 16, 2024. If no objection is timely made, all specified exhibits will be made part of the record at the commencement of the

hearing. The Commission may expand that list prior to or at the scheduled hearing, however, the Applicant will be given an opportunity to make an objection to any such additional materials.

c. Request for Official Notice.

The Applicant should submit in writing any request for matters to be officially noticed pursuant to Indiana Code section 4-21.5-3-26(f) on or before noon on Wednesday, December 11, 2024.

d. Incorporation of Supplemental Application Materials and Materials Supplied by North Dakota Racing Commission and/or Thoroughbred Racing Protective Bureau.

The Application incorporates by reference any documents submitted, considered, or generated with respect to Lien Games's 2025 Application, any documents provided as supplements to the Application, and any documents or information supplied by the North Dakota Racing Commission and/or the Thoroughbred Racing Protective Bureau with regard to the Applicant or Application.

e. Application Term and Renewal.

The Application will be considered for a January 1, 2025, approval date. The licenses must be renewed annually and will be considered at the regularly scheduled December Commission meeting. As such, applicants that are approved for licensure must have renewal materials to the Commission no later than November 1, 2024, to ensure renewal can be considered at the December meeting and avoid any interruptions in licensure.

III. Matters Relating to the Conduct of the Hearing.

a. The Commission will be sitting as an Administrative Law Judge at the Hearing.

The Commission is sitting both as an Administrative Law Judge and as "ultimate authority" (pursuant to Indiana Code section 4-21.5-1-15) with respect to this Application. Indiana Code section 4-21.5-3-11 provides in part that an Administrative Law Judge serving in a proceeding may not communicate directly or indirectly, regarding any issue in the proceeding while the proceeding is pending with any party or individual who as a direct or indirect interest in the outcome of the proceeding. Additionally, while a Commissioner Member may communicate separately with another Commission Member and may receive aid from members of the Commission Staff, the Commission Staff is prohibited from having ex parte communications with a Commission Member which contain information that would furnish, augment, diminish, or modify the evidence in the record.

In addition, when acting as an Administrative Law Judge, each Commission Member is prohibited (pursuant to Indiana Code section 4-21.5-3-12) from commenting publicly, except as to hearing schedules or procedures, about pending proceedings. Accordingly,

both the Commission Members and members of the public are to be mindful of this limitation as the Commission moves forward to consider the evidence and make a decision on the Application.

b. Hearing to be Conducted under Oath.

The hearing will be conducted under oath or affirmation pursuant to Indiana Code section 4-21.5-3-26(b). In order to ensure consistency, any non-party statements are to be given under oath or affirmation pursuant to Indiana Code section 4-21.5-3-25(f).

c. Staff Review and Presentation of Findings.

The Commission Staff is conducting a review of the Application and may speak to its findings at the hearing.

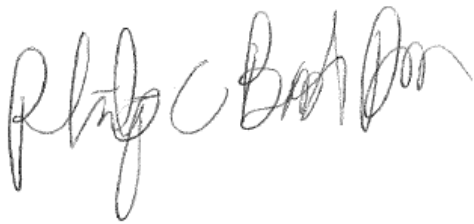
d. Chairman to Rule on Procedural Issues.

The Chair will rule on any procedural issues requiring an immediate ruling which are raised at the hearing on the Application.

e. Commission Free to Ask Questions.

During the hearing on the Application, any Commissioner, the Commission's counsel, or the Commission's Executive Director may ask questions of any witness in the nature of cross-examination or to assist the Commission's understanding of the issues relevant to the Application and any appropriate action to be taken.

This Pre-Hearing Order is issued by the Indiana Horse Racing Commission this 5th day of December 2024.



Philip Borst, DVM
Chairman
Indiana Horse Racing Commission



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

December 17, 2024

Kevin J. Hall
President
Lien Games Racing LLC
P.O. Box 1029
Fargo, ND 58107-1029

Agent for Lien Games Racing LLC:
John J. Ford
Chief Executive Officer & Co-Founder
Potent Systems, Inc.
7750 Okeechobee Blvd.
Suite 4-3020
West Palm Beach, Florida 33411

Notification of Secondary Pari-Mutuel Organization Renewal Application Approval

The Indiana Horse Racing Commission (“IHRC”) granted the renewal application of Lien Games Racing LLC (“Lien Games”) as a secondary pari-mutuel organization (“SPMO”) for 2025 on December 17, 2024. This SPMO license renewal for 2025 is granted for live horse racing for Lien Games at www.OffTrackBetting.com, for live horse racing at affiliate Potent Systems at www.RaceBetWin.com, and for live horse racing at affiliate Iron Bets Racing at www.IronBetsRacing.com.¹

As a result of this action Lien Games is subject to the following conditions:

1. That approval of the Application is subject to compliance with any of the Commission’s rules and approved internal control policies, as of the date said policy has been adopted by the Commission. These rules include, but are not limited to:
 - a. 71 IAC 9-2.2-4(g), requiring any action that suspends or otherwise prohibits a licensed SPMO from operating in another state may be used as grounds for a suspension of its Indiana SPMO license; and
 - b. 71 IAC 9-2.2-4(h), requiring all employees working on behalf of a licensed SPMO that are officers, directors, managers and/or involved in Indiana advance deposit wagering must hold an Indiana commission license.
2. The Applicant must cooperate and provide information to the Commission and Commission Staff as requested.
3. The Applicant must adhere to all conditions and the Commission can act to rescind this approval in the event the Applicant fails to adhere to any condition outlined herein.

¹ The IHRC 2025 SPMO license renewal also includes associated mobile and/or desktop applications associated with the specified websites.



State of Indiana Indiana Horse Racing Commission

Eric Holcomb, Governor

www.in.gov/hrc

If you have any additional questions or concerns, you may contact the IHRC directly.

Sincerely,

Deena Pitman
Executive Director

Cc: David Rothenberg, General Counsel
Matt Eggiman, Deputy General Counsel

Proposed Order

Agenda Item #8



2025 PROPOSAL

*Approved by the Standardbred Breed Development Advisory Committee on November 19, 2024.
Approved by the Indiana Horse Racing Commission on _____.*

Overall Budget

2025 PROJECTED REVENUE

Breakages & Outs	\$175,000
Gaming Revenue	\$13,987,207
Utilize from Budget Reserves	\$900,000*
TOTAL	\$15,062,207

Promotions/Administrative Expenses	\$400,000
Amount Available for Racing	\$14,662,207

**Balance on 1/31/2026 projected to be approximately \$5 million after utilizing \$900,000 from reserves for the 2025 program.*

RACING PROGRAM

	2024 Amended Budget	2024 Spent to Date/Est. to be Spent	2025 Budget
Indiana Sires Stakes	\$8,150,000	\$8,131,500	\$8,150,000
Indiana Sired Late Closers	\$425,000	\$443,400	\$450,000
IN Sired Overnight Supplements/Mini Series*	\$4,000,000	\$4,000,000	\$3,500,000
Breeders Awards	\$1,000,000	\$1,000,000	\$1,000,000
Indiana Sired Fair Circuit	\$1,450,000	\$1,432,590	\$1,450,000
Other Races at Fairs	\$86,000	\$86,000	\$86,000
Total	\$15,111,000	\$15,093,490	\$14,636,000

Overview of 2025 Program

Indiana Sires Stakes

Significant changes were made to the structure of the Indiana Sires Stakes program for 2019, and the this structure is serving the program well with minor improvements each year. We would like to continue with this structure for the 2025 Indiana Sires Stakes Program. The 2025 Indiana Sires Stakes Program will feature:

- Six legs for 2-Year-Olds leading up to a \$250,000 Super Final
- Eight legs for 3-Year-Olds leading up to a \$250,000 Super Final
- Super Final Participants finishing 6th through 10th will receive a \$4,000 purse payout each for earning their way into Super Finals
- Purses for the consolations - \$50,000. Consolations for all two and three year old categories will be contested at \$50,000. In order to be eligible for the consolation, a horse must have started in at least one leg.
- Budgeting in \$50,000 for rounding of legs and boosting of purses in legs with 11 starters. Even though the purse amounts are fixed, we are including \$50,000 to account for these occurrences.
- Detention program to be implemented for legs with purses of \$75,000 or greater. **All finals and consolations will be subject to detention.** Conditions have been modified to reflect this.

➤ Structure of the Program as Follows:

INDIANA SIRES STAKES 2 YR C/G PACE NOMINATION FEE - \$500		INDIANA SIRES STAKES 2 YR F PACE NOMINATION FEE - \$500	
	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500
CONSOLATION	\$50,000	CONSOLATION	\$50,000
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>	
INDIANA SIRES STAKES 2 YR C/G TROT		INDIANA SIRES STAKES 2 YR F TROT	

NOMINATION FEE - \$500		NOMINATION FEE - \$500	
	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500
CONSOLATION	\$50,000	CONSOLATION	\$50,000
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>	
INDIANA SIRES STAKES 3 YR C/G PACE NOMINATION FEE - \$500		INDIANA SIRES STAKES 3 YR F PACE NOMINATION FEE - \$500	
	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500
LEG 7	\$500	LEG 7	\$500
LEG 8	\$500	LEG 8	\$500
CONSOLATION	\$50,000	CONSOLATION	\$50,000
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>	
INDIANA SIRES STAKES 3 YR C/G TROT NOMINATION FEE - \$500		INDIANA SIRES STAKES 3 YR F TROT NOMINATION FEE - \$500	
	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500

LEG 7	\$500	LEG 7	\$500
LEG 8	\$500	LEG 8	\$500
CONSOLATION	\$50,000	CONSOLATION	\$50,000
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>	

ESTIMATED PURSE STRUCTURED FOR LEGS

	<u>1 Division</u>	<u>2 Divisions</u>	<u>3 Divisions</u>	<u>4 Divisions</u>	<u>5 Divisions</u>
2 YR Old Legs					
Estimated	\$133,000	\$66,000	\$45,000	\$34,500	\$28,500
3 YR Old Legs					
Estimated	\$95,000	\$48,500	\$33,500	\$26,000	\$21,500

Average Number of Divisions for 2 Year Olds in 2024 was 2.3

Average Number of Divisions for 3 Year Olds in 2024 was 1.8

Purses for legs will change based on the number of nominations and divisions for each category.

INDIANA SIRES STAKES AGED PACE STALLION/GELDING <i>NOMINATION FEE - \$500</i> ELIMINATION \$20,000 FINAL \$50,000	INDIANA SIRES STAKES AGED PACE MARE <i>NOMINATION FEE - \$500</i> ELIMINATION \$20,000 FINAL \$50,000
INDIANA SIRES STAKES AGED TROT STALLION/GELDING <i>NOMINATION FEE - \$500</i> ELIMINATION \$20,000 FINAL \$50,000	INDIANA SIRES STAKES AGED TROT MARE <i>NOMINATION FEE - \$500</i> ELIMINATION \$20,000 FINAL \$50,000

Funding for the program will be structured as follows:

- Nomination fees will be retained by the Breed Development Fund. Nomination fees will remain at \$500.

- Entry fee for each leg will be \$500.
- There will not be an entry fee required for the Super Final.
- Breed Development will fund the purse, \$250,000 for the Super Final (for top ten horses from Leg Finals) plus the \$4,000 each 6th through 10th place finisher will receive. For a total payout of \$270,000.
- Hoosier Park agrees to write overnight races for Sires Stakes eligible horses to provide additional racing opportunities. These races will run concurrent with the Sires Stakes program. Breed Development will earmark a minimum of \$500,000 from the funds allocated for IS Overnight/Mini Series Budget.

Indiana Sired Fair Circuit

The fair program continues to be an important part of the Indiana program. In reviewing the program for 2025, the budgeted amount for the program will remain the same as 2024. The purse structure will remain the same as 2024.

The structure of the 2025 program is as follows:

- Purses for the Championship Races at the Indiana State Fair will be from \$25,000 and Consolation races will be contested at \$10,000.
- Earnings cap on Series 2 will be NW \$10,000 up to completion of Series 1.
- Pay \$500 to each 6th – 8th place finisher in the Series 1 Championship races
- Series 1 consisting of up to 14 racing programs, plus Championship/Consolation program at Indiana State Fair.
- Addition of Fair Circuit stop at Hoosier Park Racing & Casino to give ISFC Horses an opportunity to compete at the pari-mutuel track. Purses at Hoosier Park to be contested at \$4,200 a division.
- Series 2 consisting of up to 6 racing programs.

Series 1:

- Purses - \$3,800 Division, with the exception of ISFC races held at Hoosier Park – which will be contested at \$4,200 Division
- Championship - \$25,000
- Consolation - \$10,000

Series 2:

- for NW \$10,000 in 2025 up to and including date to be determined after fair schedule is finalized.
- Purses - \$3,300 Division

Other Races At Fairs

ISA Elite – Breed Development will continue to support this event. ISA Elite Races to be funded at \$7,000 per category as follows:

- 2 YR Filly Pace - \$7,000
- 2 YR Filly Trot - \$7,000

- 2 YR Colt Pace - \$7,000
 - 2 YR Colt Trot - \$7,000
 - 3 YR Filly Pace - \$7,000
 - 3 YR Filly Trot - \$7,000
 - 3 YR Colt Pace - \$7,000
 - 3 YR Colt Trot - \$7,000
- TOTAL \$56,000**

Elkhart County Races – Breed Development will continue to support this event. Elkhart County Races to be funded at \$15,000 each as follows:

- Elkhart Classic - \$15,000
 - Maple City Trot - \$15,000
- TOTAL \$30,000**

Breeder's Awards

Total Payout for Breeder's Awards - \$1,000,000

- A horse must win an eligible race to be eligible to the Breeder's Award Pool. The criteria is as follows:
 - Two & Three - Year Olds – ISB (Indiana Sired & Bred) Horses only that win any race at the Pari-Mutuel Track in Indiana or ISFC (Indiana Sired Fair Circuit) Championship Races.
 - Four - Fourteen Year Olds – ISB Horses that win:
 - Final of any Breed Development Indiana Sired Late Closer Event
 - Elimination or Final of the Indiana Sires Stakes
 - Track's Open or Invitational Race
- Awards will be distributed to eligible breeder's based on the percentage of win earnings of the total win earnings available. Please see the example provided below. Note that it includes only a small sample of horses, there will be a much larger number of horses eligible for awards during the race season:

	TOTAL WIN EARNINGS	% OF WIN EARNINGS	BREEDER'S AWD AMOUNT
HORSE A	\$72,000	12.80%	\$128,000
HORSE B	\$200,000	35.56%	\$355,556
HORSE C	\$22,500	4.00%	\$40,000
HORSE D	\$125,000	22.22%	\$222,222
HORSE E	\$15,000	2.67%	\$26,667
HORSE F	\$96,000	17.07%	\$170,667
HORSE G	\$32,000	5.69%	\$56,889
TOTAL	\$562,500	100.00%	\$1,000,000

- Breeder's Awards will be paid on an annual basis, at the completion of the last race meet in Indiana.

Indiana Sired Overnight Supplements/Mini Series

- Total Payout for Indiana Sired Overnights/Mini Series - \$3,500,000
- Overnight races which fill with all Indiana Sired (or ISB) horses will be boosted by 15%. Purses for boosted races will be rounded. Breed Development Fund to cover rounded amount until cap is reached.
- Hoosier Park will be allocated \$3,500,000 to fund overnight races/mini series which fill with all Indiana Sired horses. Once this allocation is met, the purse account will be responsible for funding any remaining races.
- Hoosier Park agrees to write overnight races for Sires Stakes eligible horses to provide additional racing opportunities. These races will run concurrent with the Sires Stakes program. Breed Development will earmark a minimum of \$500,000 from these funds for this purpose.

Indiana Sired Late Closers

- Total BDF Payout for Indiana Sired Late Closers - \$450,000
- Purse Account contribution to remain at \$4,000 per leg
- The Committee would also like to request the ability to review and add additional late closing series for the end of the racing meet if funds are available.
- Purse Structure Proposed as follow:

PACING SERIES

<i>"The Jerry Landess"</i>		<i>"The Miss Windfall"</i>	
Pace - Indiana Sired 3 YR & Up Old C/G NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/25		Pace - Indiana Sired 3 YR & UP Old Fillies NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/25	
1 st Leg	\$10,000	1 st Leg	\$10,000
2 nd Leg	\$10,000	2nd Leg	\$10,000
FINAL	\$20,000	FINAL	\$20,000
NOMINATION FEE	\$100	NOMINATION FEE	\$100
<i>"The Hal Dale"</i>		<i>"The Go On BB"</i>	
Pace - Indiana Sired Stallions & Geldings NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/25.		Pace - Indiana Sired Fillies & Mares NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/25.	
1st Leg	\$12,000	1st Leg	\$12,000
2nd Leg	\$12,000	2nd Leg	\$12,000
FINAL	\$25,000	FINAL	\$25,000
NOMINATION FEE	\$100	NOMINATION FEE	\$100

TROTting SERIES

<i>"The Cardinal"</i>	<i>"The Mya Tri"</i>
Trot - IN Sired 3 YR & Up Stallions and Geldings NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/25	Trot - Indiana Sired 3 YR & Up Old Fillies & Mares NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/25
1st Leg \$10,000	1st Leg \$10,000
2nd Leg \$10,000	2nd Leg \$10,000
FINAL \$20,000	FINAL \$20,000
NOMINATION FEE \$100	NOMINATION FEE \$100
<i>"The Expresson"</i>	<i>"The Msnaughtybynature"</i>
Trot - Indiana Sired Stallions & Geldings NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/25	Trot - Indiana Sired Fillies & Mares NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/25
1st Leg \$12,000	1st Leg \$12,000
2nd Leg \$12,000	2nd Leg \$12,000
FINAL \$25,000	FINAL \$25,000
NOMINATION FEE \$100	NOMINATION FEE \$100



2025 Proposed Program

*Approved by the Quarter Horse Advisory Committee on December 3, 2024.
Approved by the IHRC on _____.*

Recap of the 2024 Program Expenditures:

	APPROVED	ACTUAL	AMOUNT UNDER/OVER
# of Overnight Races Supplemented	63	56	(7)
Number of Stake Races/Trials	36	34	(2)
Total Number of Races	99	90	(9)
BDF \$ to Purses	\$570,500	\$541,111	(\$29,389)
Owner Awards (IB Races)	\$321,563	\$271,974	(\$49,589)
Breeder Awards (IB Races)	\$450,188	\$343,949	(\$106,239)
Stallion Owner Awards (IB Races)	\$210,063	\$165,258	(\$44,805)
Owner, Breeder and Sire Awards (Open Races)	\$300,000	\$305,935	\$5,935
TOTAL	\$1,852,313	\$1,628,227	(\$224,085)

I. Projected Revenue:

Projected Revenue for 2025 – Gaming	\$1,512,335
Breakage & Outs	\$30,000
Utilize from Reserves*	\$375,000

Total	\$1,917,335
Promo/Admin. Expenses	\$50,000
Amt. Available for 2024 Racing Program	\$1,867,335

**Balance on 12/31/2025 projected to be \$669,569, after utilizing \$375,000 from reserves for 2025 program.*

II. Projected Spend (Budget):

# of Overnight Races Supplemented	63
Number of Stake Races/Trials	36
Total Number of Races Proposed	99
BDF \$ to Purses	\$571,600
Owner Awards (IB Races)	\$322,250
Breeder Awards (IB Races)	\$451,150
Sire Awards (IB Races)	\$210,475
<u>Owner, Breeder and Sire Awards (Open Races)</u>	<u>\$300,000</u>
TOTAL – FROM BDF	\$1,855,475

Please see *Attachment A* for detailed information regarding the Quarter Horse Breed Development Program.

The 2025 Program

- ✓ Breed Development Fund to pay 25% of the purse for stakes races and trials (prior to any added monies).
- ✓ Trial purses to remain at \$15,000 per trial.
- ✓ Breed Development Fund to pay 20% of the purse for overnight races.
- ✓ Owner and Stallion Owner Awards in all races will be paid 12.5% of the gross purse as follows:
 - fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
 - thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000);
 - twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000)

- ✓ Breeder awards for all races will remain at 17.5%. The purpose for Breeder's Award to be paid at higher percentage than Owner and Stallion Owner awards is to provide additional incentives for mare owners to invest in the breeding program. The distribution in all races will be 17.5% of the gross purse as follows:
 - fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
 - thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000);
 - twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000)
- ✓ Scheduling of 63 Overnight races.
- ✓ There will not be trials for the Hoosier Classic, Born Runner and Bob Woodard stakes for older horses (4 YR Olds & UP).
- ✓ Each regularly scheduled overnight race that fills with eight (8) or more betting interests will be carded. It is the discretion of the racing secretary as to whether to utilize races with fewer than eight (8) betting interests.
- ✓ Continuation of two 4-year-old and older handicap races (overnight stakes) to be contested for older horses and be held sometime in July and August.
- ✓ **As approved when the 2024 program was approved, the distance of the Miss Roxie Little beginning with the 2025 program from 350 YDS to 400 YDS.**
- ✓ **Modify the fee schedule for the Miss Roxie Little as follows:**
 - **1st Payment (12/15) - \$400**
 - **2nd Payment (2/15) - \$400**
 - **3rd Payment (4/15) - \$400**
 - **4th Payment (6/15) - \$400**
 - **5th Payment (8/15) - \$400**

Stake Races

• Gordon Mobley	Sired 2 YR Olds	Spring	350 YDS	\$150,000
• Jaguar Rocket	Bred 2 YR Olds	Spring	350 YDS	\$100,000
• Miss Roxie Little	Bred 2 YR Olds	Fall	350 YDS	\$150,000
• Harley Greene Derby	Sired 3 YR Olds	Spring	350 YDS	\$ 75,000
• Blue River Derby	Bred 3 YR Olds	Spring	400 YDS	\$100,000
• Sterlie Bertram Mem.	Bred 3 YR Olds	Fall	400 YDS	\$100,000
• Born Runner Classic	Sired 4 YR & UP	Spring	400 YDS	\$ 75,000
• Hoosier Classic	Bred 4 YR & UP	Fall	400 YDS	\$ 75,000
• Bob Woodard Classic	Bred 4 YR & Up	Spring	400 YDS	\$ 75,000
• Miss Roxie Little Cons.	Bred 2 YR Olds	Fall	400 YDS	\$ 30,000

Horseshoe Indianapolis 2025 Worksheet Quarter Horse Breed Development Program

Race Type	Proposed 2025	Purse	QHDF Contribution Per Race	QHDF Total Contribution	Track Contribution Per Race	Track Contribution Total	Total Purses
Gordon Mobley (Spring)	1	\$150,000	\$37,500	\$37,500	\$112,500	\$112,500	\$150,000
Jaguar Rocket (Spring)	1	\$100,000	\$25,000	\$25,000	\$75,000	\$75,000	\$100,000
Miss Roxie Little (Fall)	1	\$150,000	\$37,500	\$37,500	\$112,500	\$112,500	\$150,000
Blue River Derby (Spring)	1	\$100,000	\$25,000	\$25,000	\$75,000	\$75,000	\$100,000
Sterlie Bertram (Fall)	1	\$100,000	\$25,000	\$25,000	\$75,000	\$75,000	\$100,000
Born Runner (Spring)	1	\$75,000	\$18,750	\$18,750	\$56,250	\$56,250	\$75,000
Hoosier Classic (Fall)	1	\$75,000	\$18,750	\$18,750	\$56,250	\$56,250	\$75,000
Bob Woodard (Spring)	1	\$75,000	\$18,750	\$18,750	\$56,250	\$56,250	\$75,000
Harley Green Derby (Spring)	1	\$75,000	\$18,750	\$18,750	\$56,250	\$56,250	\$75,000
TOTAL STAKES	9	\$900,000					\$900,000
Roxie Little Consolation	1	\$30,000	\$7,500	\$7,500	\$22,500	\$22,500	\$30,000
Trials	26	\$15,000	\$3,750	\$97,500	\$11,250	\$292,500	\$390,000
TOTAL STAKES/TRIALS	36			\$330,000			\$1,320,000
Allowance	3	\$22,000	\$4,400	\$13,200	\$17,600	\$52,800	\$66,000
Allowance NW3	2	\$20,500	\$4,100	\$8,200	\$16,400	\$32,800	\$41,000
Allowance NW2 (3+)	11	\$19,500	\$3,900	\$42,900	\$15,600	\$171,600	\$214,500
Allowance NW2 (3yo only early & 2 2yo)	3	\$19,500	\$3,900	\$11,700	\$15,600	\$46,800	\$58,500
Allowance NW OT	2	\$19,000	\$3,800	\$7,600	\$15,200	\$30,400	\$38,000
Maiden	40	\$18,000	\$3,600	\$144,000	\$14,400	\$576,000	\$720,000
4 & Up Handicap (Overnight Stakes)	2	\$35,000	\$7,000	\$14,000	\$28,000	\$56,000	\$70,000
TOTAL OVERNIGHTS	63			\$241,600			\$1,208,000
			QHDF Total Overnights	\$241,600	Track Total Overnights	\$966,400	
			QHDF Total Stakes	\$330,000	Track Total Stakes	\$990,000	
			QHDF Purses Total	\$571,600	Track Purses Total	\$1,956,400	
					TOTAL PURSES	\$2,528,000	
SUMMARY							
Owner/Breeder/Stallion Awards - Open Races		\$300,000					
QHBDF Purse Contribution		\$571,600					
Owner Awards - IB Races		\$322,250					
Breeder Awards - IB Races		\$451,150					
Stallion Owner Awards - IB Races		\$210,475			Amount Available from QH BDF		
TOTAL - FROM BDF		\$1,855,475				\$1,857,671.99	

Agenda Item #9



November 27, 2024

Indiana Horse Racing Commission
1302 N. Meridian Street, Suite 175
Indianapolis, IN 46202

Chairman Borst and Executive Director Pitman,

Now that we have reached the end of the 2024 racing season at Horseshoe Indianapolis, please see the following information on our 2024-2025 wintertime training program. We had requests for 906 stalls and have assigned 606 of them for the 2024-2025 winter training period. We believe that by early February they will be nearly full.

As has been the practice for the last two winter training periods, we will have ambulance coverage from SEALS on any day that we train. Our Veterinarian, Dr. Andy Hirschy, will be on-site and when Andy is unavailable, we have replacement staff of Dr. Katherine Naughton and Dr. Michael Hardy to cover those hours. In addition, we have maintained active employee status for several other qualified veterinarians who worked with us during the 2024 season in case of emergency.

Our Security Manager, Tim Dewitt, will lead our Security department in the operations of the barn area. Tim is assisted by Dee Thoman, Cynthia Davis and Jamie Woodall and several other departmental Team members. All of the aforementioned Security employees have been with us through the previous three years of wintertime training.

Track Superintendent, Tony Martinez, and his staff will be responsible for maintaining the racing surface throughout the 2024-2025 wintertime training period. It is understood that in the coldest of the weather that it may be necessary for Tony and/or his staff to work throughout the night to keep the surface in good condition for training.

We have our lead outrider, John Neal, and starter, Ray Kuwik, returning to handle their assigned duties in the 2024-2025 winter training period. John's backup will be one of the outriders from our recently ended season, Alicia Foster. Ray's crew of three Assistant starters are all members of his current starting gate staff.

Should you have any questions, please feel free to contact me. Other than that, please see below for some key details and dates that I have listed below. Thanks.

Important dates over the course of the 2024-2025 wintertime training period:

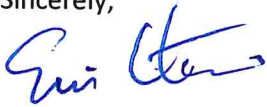
- October 31, 2024 – Last day to turn in stall applications for the winter of 2023-2024.
- November 10, 2024 – Final stall assignments sent to horsemen.
- November 14, 2024 – Closing Day of the 2024 season.
- November 28, 2024 – Last day of barn/stall access for horsemen that will not have stalls over the winter.
- Mid-late December, 2024 – Stall applications for the 2025 racing season available.
- January 1, 2025 – Two year-old horses allowed on the grounds with permission from the Horseshoe Indianapolis Director of Racing, Chris Polzin.
- February 1, 2025 – Stall applications due for the 2025 racing season.

- Late February, 2025 – Final stall assignments sent to horsemen.
- March 10, 2025 – First day of barn/stall access for horsemen assigned stalls for the 2025 racing season.
- April 15, 2025 – Opening day of the 2025 racing season.

Important information on training during the 2023-2024 wintertime training period:

- Horses will be assigned to barns that are winterized and it is expected that they be moved into those stalls no later than November 28, 2024.
- Should someone not need the stalls that they were assigned, those stalls will be reallocated to another horsemen in need.
- Training will take place from 8:00 a.m. – 12:30 p.m. beginning November 18, 2024 on a Monday – Friday basis. Any changes to the start time or time for training will be discussed with the HBPA.
- The starting gate will initially be available three-days per week and eventually build up to five by early-March. The days of the week that it will be open will be determined by Horseshoe Indianapolis staff after discussion with the HBPA.
- As weather dictates, Horseshoe Indianapolis staff will confer with the HBPA and potentially alter the training times or cancel a day. Under no circumstances will the racetrack be open if Horseshoe Indianapolis Track Superintendent, Tony Martinez, does not believe the surface is prepared and safe.
- It is expected that in early-March training will return to the normal racing season schedule of Monday – Saturday. Training times may still be weather dependent, but they will be discussed with the HBPA before any decisions are made.
- One note: Pending the approval of the IHRC at the December 18, 2024, meeting we will be installing exhaust fans in barns 1 – 4. There could potentially be some disruption in those barns but a plan will be discussed with the HBPA prior to any impact on horses.

Sincerely,



Eric Halstrom
Vice President and General Manager
Horseshoe Indianapolis

Cc: Joe Morris, SVP of Racing, Caesars Entertainment Corporation
Eric Smith, Senior State Steward, IHRC



November 26, 2024

Deena Pitman
Executive Director
Indiana Horse Racing Commission
1302 N. Meridian Street, Suite 175
Indianapolis, Indiana 46202

Dear Deena,

As we approach the last weekend end of the 2024 racing season, I wanted to give you an update on the upcoming winter training season at Harrah's Hoosier Park.

Stall applications for the winter training season were due on Friday, November 8, 2024. I am pleased to inform you that we have allotted 263 stalls for winter training. The majority of these horses are already in their winterized barns.

After the meet is over on Saturday, November 30, 2024, we will be closing the racetrack for training from Sunday, December 1 through Sunday, December 8 for end-of-meet regular maintenance of the racing surface. The track will reopen for training on Monday, December 9. We have discussed this with the Indiana Standardbred Association, and they are fully supportive of this short closure of the racetrack. During this time period the jog track will remain open. After the main track reopens, the jog track will then be closed for the duration of the winter training season. The jog track will reopen on Friday, February 21, when the barn area will reopen for general stabling for horses that have been allotted stalls for the 2025 racing season. The first day of Qualifying races will be Saturday, March 1, 2025. Qualifying days will again be Wednesdays and Saturdays throughout the 2025 race meet.

During the winter training season, the track will be open for training from 8 am – 12 pm Monday through Saturday, with the exception of Christmas Day, when the track will be closed.

We will allow two-year olds to stable on the grounds starting January 1, 2025, for those trainers who have been allotted stalls for winter training.

I also want to mention that during the winter training season horsemen are welcome to ship-in to the HHP barn area for training purposes, as long as they have the necessary health paperwork and are licensed by the Indiana Horse Racing Commission.

If you have any questions or comments, please contact me at your convenience.

Respectfully,



Rick Moore
Vice President and General Manager of Racing
Harrah's Hoosier Park

cc: David Rothenberg, General Counsel, Indiana Horse Racing Commission
Colin Skidmore, Sr. Vice President and General Manager, Harrah's Hoosier Park
Joe Morris, Sr. Vice President, Caesars Racing
Scott Peine, Director of Racing, Harrah's Hoosier Park
John Delong, President, Indiana Standardbred Association
Tony Renz, Executive Director, Indiana Standardbred Association

Agenda Item #10

Harrah's Hoosier Park RCFAC

Year 1	2021	
Barn 4 stalls		307,000
Barn Surveillance		1,340,000
Paddock Lounge		24,000
Dorm Floors		86,000
Paving/Trash		112,000
Spreader Truck		174,000
Track LED Pole		36,000
Barn Winterize		<u>65,000</u>
	TOTAL	2,144,000

Year 2	2022	
Truck Conditioner		31,000
Barn Gutters		71,500
LED Barns		151,000
LED Track		1,485,000
Paddock Heat		72,000
Backstretch Fiber		107,396
Paddock TV's		9,000
Track Lights		39,000
Backstretch Lights		<u>10,000</u>
	TOTAL	1,975,896

Year 3

2023

Equine Ambulance	60,000
Apron Upgrades	372,000
Apron Data Fiber	10,000
Apron Furniture	38,000
New Roof Barns	1,801,000
New Video Board	285,500
Manhole Rebuild Dorm	20,000
30 Washstalls Cameras	21,000
6 Backside Water Fountains	12,000
15 PTAC Units Dorms	24,000
Fence Gate Paddock	31,000
Switcher A/V Room	<u>273,000</u>
TOTAL	2,947,500

Year 4

2024

On-Track Warning System	13,000
Wi-fi In Barn Area	176,000
15 Additional E-Terminals	21,000
Next Phase of "HOP" Area (Approved pending ISA Board approval)	150,000
LED Lights Stalls	175,000
Overhead Door Openers Barn	7,000
Radiant Heaters Paddock	75,000
Fans for Paddock Barns	20,000
Tankless Water Heaters	<u>73,000</u>
TOTAL	710,000

Year 5

2025

Tote Board Video Wings	650,000
Jog Fence	36,000
Benches for Paddocks	6,000
Swirly Surface Cleaner (includes mileage for demonstration)	24,200
TOTAL	<hr/> 716,200

5-Year Recap

Grand Total 8,493,596

Starting Number Including 1,500,000 from middle
12,500,000

Left Remaining 4,006,404

Divided by 5 remaining years=801,280

Year 6

2026 (Potential Projects)

Grooms Lounge Furniture	7,000
Track Kitchen Electrical	15,000
Paddock Generator	50,000
Playground	50,000
Test Barn Floor	100,000
Paddock Interlocking Mats	35,000
Concrete Picnic Area	40,000
Total	297,000

Year	Capital Item	Actual Cost	RCFAC Committee Approved Amount
Year 1 2021	Barn and Dormitory	\$ 6,588,023.84	\$ 7,000,000.00
	Barn Winterization	\$ 58,687.89	\$ 60,000.00
	Eurocizer	\$ 183,424.25	\$ 250,000.00
		\$ 6,830,135.98	\$ 7,310,000.00
Year 2 2022	Camera Tower	\$ 20,461.00	\$ 20,000.00
	Eurocizer Footing Material	\$ 16,258.00	\$ 20,000.00
	12 - Four arm Walkers	\$ 78,000.00	\$ 78,000.00
	Surveillance Cameras Backstretch	\$ 30,000.00	\$ 30,000.00
	Drainage Project Barn 7 and 8	\$ 16,050.00	\$ 16,050.00
	Barn PA System	\$ -	\$ 25,000.00
		\$ 160,769.00	\$ 189,050.00
	Turf Rail and Geo Locate	\$ 135,123.93	\$ 150,000.00
	12 - Four arm Walkers	\$ 85,000.00	\$ 78,000.00
	Eurocizer Footing Material	\$ 14,622.00	\$ 20,000.00
Year 3 2023	Surveillance Cameras Backstretch	\$ 30,000.00	\$ 30,000.00
	Sand for Drainage on Turf Course	\$ 19,500.00	\$ 20,000.00
	Apron Project	\$ 704,989.76	\$ 650,000.00
	Asphalt for Stable Gate	\$ 39,692.50	\$ 50,000.00
	Building/Trailer for Vets	\$ -	\$ -
	Finish Line Camera	\$ 23,482.16	\$ 25,000.00
	Turf Vacuum	\$ 49,581.00	\$ 46,838.29
		\$ 1,101,991.35	\$ 1,069,838.29
	Video Board	\$ 876,239.53	\$ 800,000.00
	Year 4 2024	Surveillance Cameras Backstretch	\$ 30,000.00
Community Center Advance		\$ 200,000.00	\$ 200,000.00
Backstretch Community Center		\$ 1,200,000.00	\$ 1,200,000.00
Barn 7 Winterization		\$ 145,900.00	\$ 164,000.00
Grading between Barn 7 and 8		\$ 15,950.00	\$ 100,000.00
Sand for Drainage on Turf Course		\$ 20,965.31	\$ 20,000.00
Footing		\$ 15,645.57	\$ 20,000.00
Air Conditioning in Jock's Quarters		\$ 76,000.00	\$ 69,600.00
Building PA Speakers		\$ 47,222.50	\$ 49,000.00
Heaters for Dorms		\$ 17,000.00	\$ 17,000.16
Men's Jock's Steamroom	\$ 38,985.45	\$ 36,435.00	
Receiving Barn Mats	\$ 79,385.00	\$ 85,000.00	

*Part of cumulative project totaling \$115,614.89

*Actual quote \$150k; moved to 2024 on building

*Part of cumulative project totaling \$115,614.89

*Dr. Mann paid for trailer

*Part of cumulative project totaling \$115,614.89

*\$200,000 approved in advance

*Includes exhaust fans

Track Kitchen	\$ 8,200.00	\$ 10,000.00
Shelter for Officials and Gate Crew	\$ 12,500.00	\$ 12,767.95
Track Viewing Stand	\$ 38,000.00	\$ 40,000.00
	\$ 2,821,993.36	\$ 2,853,803.11

Year 5

2025 Surveillance Cameras Backstretch \$ 25,614.89 * Part of cumulative project totaling \$115,614.89

Scale House * Tabled

Sand for Drainage on Turf Course \$ 20,000.00 \$ 20,000.00

Walking Path * Tabled

Exhaust Fans Barns 1 - 4 \$ 180,000.00 \$ 180,000.00

Footing \$ 20,000.00 \$ 20,000.00

\$ 245,614.89 \$ 250,000.00

Total Allocated RCFAC: \$ 11,160,504.58 \$ 11,672,691.40

Original Horseshoe RCFAC: \$ 11,000,000.00

Split of \$3 million RCFAC: \$ 1,500,000.00

Total Horseshoe RCFAC Years 1 - 10: \$ 12,500,000.00

Funds Remaining: \$ 1,339,495.42

Average Remaining Per Year 6-10: \$ 267,899.08

Agenda Item #11

Rule-making Update

Agenda Item #12

HISA Update

Agenda Item #13

**Delegation of Authority to
conduct racing business to
Executive Director**