



For immediate release: 15 pages

Monday, July 7 2014

For more information:

Bill Mahoney (518) 817-3738

CASINO INTERESTS PUMP AT LEAST \$11 MILLION INTO NY LOBBYING AND CAMPAIGN DONATIONS

ANALYSIS REVIEWS CAMPAIGN DONATIONS AND LOBBYING SPENDING OF CASINO BIDDERS AND ALLIES; MUCH SPENDING MAY BE UNREPORTED

Over \$11 million has been spent by casino gambling interests to influence state and local policymakers in the past two years, according to an analysis released today by the New York Public Interest Research Group (NYPIRG). Key findings include:

- Bidders and their allies spent \$6.7 million on lobbying campaigns in 2012 and 2013 (page 3).
- Bidders and their allies contributed \$4.3 million to state and local political committees in 2012 and 2013 (page 4).
- Genting Group spent more than any other bidder on both lobbying (\$2.5 million) and campaign contributions (\$984,244) during this time period.
- Patricia Lynch Associates was the lobby firm with the highest combined compensation and expenses on behalf of bidders and their allies (page 7).

Methodology

Information on lobbying was gathered from the lobby reports presented on the website of the Joint Commission on Public Ethics. Campaign contribution totals were obtained from the website of the New York State Board of Elections. In the following tables, names that are presented exactly as they appear in these databases are in uppercase; names whose spellings have been changed to clarify an entity's identity are presented with regular capitalization.

Bidders and their allies were identified with the assistance of *Capital New York*.

One notable limitation to this analysis is that New York State lobbying disclosure requirements do not capture all casino license advocacy. Under state law, lobbying officials in municipalities with populations under 50,000 does not need to be publicly reported.¹ As this analysis reveals, 15 of the 16 municipalities that are the proposed host sites for casinos have populations that fall under the 50,000 resident threshold (page 6). It thus is impossible to determine the total amount of money spent in attempts to convince local officials to pass resolutions in favor of proposals. Additionally, media reports have indicated that companies involved in the bidding have donated to other political entities which are not required to report their donations. Notably, the Committee to Save New

¹ New York State Joint Commission on Public Ethics, "Local Lobbying," http://www.jcope.ny.gov/local/local_lobbying.html

York was reported to have received \$2 million from the casino giant Genting “around the same time the governor announced he would push to legalize casinos.”²

Background

Much of the spending on advocacy for casinos would have been eliminated had a provision of Governor Cuomo’s initial legislation been included in the final law. A key component of the initial enabling legislation for casino expansion in New York was a ban on political contributions from operators and their top employees.³ Despite being touted in a press release by Governor Cuomo and widely covered by the press in subsequent weeks, this provision was quietly removed soon before the final version of the bill was voted on. The first media report revealing this change was not revealed until 7:39 p.m. in the evening on the day the bill passed, several hours *after* the Assembly had voted on it.⁴ There was so little fanfare behind this decision that, according to one Assemblymember, many members of his house were completely unaware this had been removed before casting votes in favor.⁵ In fact, the change was made so hastily that some language referencing the nonexistent ban remained in the version that passed,⁶ and was only removed thanks to a chapter amendment passed with a message of necessity. The foregoing analysis examines the potential repercussions of this decision.

² Jacob Gershman, “Cuomo’s Casino Funds,” *The Wall Street Journal*, 4 June 2012, <http://online.wsj.com/news/articles/SB10001424052702303918204577447031922123686>.

³ Tom Precious, “Cuomo Pushing Las Vegas-Style Casino in Western New York,” *The Buffalo News*, 5 June 2013, http://www.buffalonews.com/20130605/cuomo_pushing_las_vegas_style_casino_in_western_new_york.html.

⁴ Nick Reisman, “That Ban on Political Donations from Casino Operators? It’s Gone,” *State of Politics*, 21 June 2013, <http://www.nystateofpolitics.com/2013/06/that-ban-on-political-donations-from-casino-operators-its-gone/>.

⁵ Pat Bailey, “Provision Blocking Campaign Contributions by Casinos Pulled at 11th Hour Before Vote,” *CBS Eye on the Capitol*, 24 June 2013 <http://www.cbs6albany.com/blogs/eye-on-the-capitol/provision-blocking-campaign-contributions-by-casinos-pulled-at-11th-hour-before-vote--64.shtml#.U7NVmPldV2A>.

⁶ David Lombardo, Political Contribution Ban Appears to be Gone,” *The Daily Gazette*, 21 June 2013, <http://www.dailygazette.com/weblogs/capital-region-scene/2013/jun/21/political-contribution-ban-appears-be-gone/>.

Publicly-Reported Lobbying Spending by Bidders for Casino Licenses and Allies, 2012-2013

Companies involved in bidding for casino licenses spent a total of \$6,745,177 lobbying in 2012 and 2013.⁷

Project	Entity	Lobbying, 2012-2013
Sterling Forest Resort/ Resorts World Hudson Valley/ Montreign Resort Casino	Genting	\$2,475,302.00
none	NEW YORK GAMING ASSOCIATION	\$1,671,318.00
Montreign Resort Casino	EMPIRE RESORTS	\$665,977.00
Traditions Resort & Casino	SENECA NATION OF INDIANS	\$624,466.00
Mohegan Sun at The Concord	Louis Cappelli	\$340,080.00
Caesars New York	CAESARS ENTERTAINMENT OPERATING CO. CORP	\$319,123.00
Caesars New York/ Hard Rock	David Flaum/ Flaum Management	\$211,925.00
The Grand Hudson Resort & Casino	GREENETRACK INC.	\$170,000.00
Tioga Downs Casino, Racing & Entertainment	Jeff Gural and Holdings	\$75,717.00
Nevele Resort, Casino & Spa	Nevele	\$74,574.00
Traditions Resort & Casino	Traditions	\$44,548.00
Hard Rock	CAPITAL DISTRICT OFF-TRACK BETTING CORPORATION (FKA CAPITAL OTB)	\$41,826.00
Hudson Valley Casino & Resort	RUSH STREET GAMING LLC	\$15,230.00
Lago Resort & Casino	Wilmorite & Holdings	\$15,091.00

⁷ The charts in this analysis include the New York Gaming Association, which is not a bidder, but represents several of the bidders and their allies, and has lobbied in support of casino expansion.

Campaign Donations by Bidders for Casino Licenses and Their Allies, 2012-2013

Individuals and companies involved in bids for casino licenses contributed \$4,321,265.51 to political committees at the state and local level in New York in 2012 and 2013.

Project	Entity	Amount
Sterling Forest Resort/ Resorts World Hudson Valley/ Montreign Resort Casino	Genting	\$984,244.00
Tioga Downs Casino, Racing & Entertainment	Jeff Gural and Holdings	\$705,400.00
none	NEW YORK GAMING ASSOCIATION	\$553,114.68
Nevele Resort, Casino & Spa	Nevele	\$427,404.00
Capital View Casino & Resort/ Hudson Valley Casino & Resort	SARATOGA HARNESS RACING INC	\$423,200.00
Traditions Resort & Casino	SENECA NATION OF INDIANS	\$353,624.00
Montreign Resort Casino	EMPIRE RESORTS	\$162,925.00
Caesars New York/ Hard Rock	David Flaum/ Flaum Management	\$149,060.00
Capital View Casino & Resort/ Hudson Valley Casino & Resort	James Featherstonhaugh/ Featherstonhaugh, Wiley & Clyne LLP	\$138,599.50
Caesars New York	CAESARS ENTERTAINMENT OPERATING CO. CORP	\$100,000.00
Lago Resort & Casino	Wilmorite & Holdings	\$93,900.00
Mohegan Sun at The Concord	Louis Cappelli	\$87,049.33
Montreign Resort Casino	EPR Properties and holdings	\$76,600.00
Rivers Casino & Resort at Mohawk Harbor	Galesi Group	\$45,515.00
Howe Caves Development LLC	Michael Malik	\$16,150.00
Traditions Resort & Casino	Traditions	\$2,980.00
Howe Caves Development LLC	Emil Galasso	\$1,500.00

Largest Recipients of Money from Bidders and Allies, 2012-2013

The list of the largest recipients of contributions from these companies is topped by several ballot initiative committees. Among elected officials, Attorney General Schneiderman was the largest recipient.

Committee	Total
NEW YORK JOBS NOW COMMITTEE	\$1,900,000.00
NEVELE PROPOSITION 1 COMMITTEE	\$327,404.00
NY GAMING ASSOCIATION PAC	\$208,706.00
NYS DEMOCRATIC ASSEMBLY CAMPAIGN COMMITTEE	\$199,500.00
NYS SENATE REPUBLICAN CAMPAIGN COMMITTEE	\$113,500.00
NYS DEMOCRATIC ASSEMBLY CAMPAIGN COMMITTEE HOUSEKEEPING	\$77,500.00
NYS SENATE REPUBLICAN CAMPAIGN COMMITTEE – HOUSEKEEPING	\$77,500.00
SCHNEIDERMAN 2014	\$66,000.00
TIOGA DOWNS PROPOSITION #1 COMMITTEE	\$63,000.00
ANDREW CUOMO 2014, INC.	\$55,000.00
FRIENDS OF ROB ASTORINO	\$43,499.33
REPUBLICAN ASSEMBLY CAMPAIGN COMMITTEE	\$42,955.00
MONROE COUNTY DEMOCRATIC COMMITTEE	\$40,050.00
FRIENDS OF SENATOR LIBOUS COMMITTEE (2010)	\$37,300.00
DEMOCRATIC SENATE CAMPAIGN COMMITTEE – HOUSEKEEPING	\$32,500.00
CITIZENS TO ELECT JOHN BONACIC	\$28,046.58
CONSERVATIVE PARTY NYS (HEADQUARTERS ACCOUNT)	\$27,500.00
KENNEDY FOR SENATE	\$26,050.00
VERNON DOWNS PROPOSITION #1 COMMITTEE	\$25,500.00
MONROE COUNTY REPUBLICAN CAMPAIGN CMTE	\$24,750.00

Many Bidders Spent through Vaguely-Named Holdings.

Several of the companies were politically involved through holdings that are difficult to link to the publicly-identified bidders.

Totals for lobbying included several entities with non-obvious ties to bidders. Bidder David Flaum has a lobbying contract with Bolton St. Johns through a company he controls called “Shawanga Lodge, LLC.” Similarly, Traditions Resort and Casino lobbies on “racing and wagering” through a Vestal townhouse company called “Homestead Village Development Group (HVDG).”

Several of the involved companies made campaign contributions through vaguely-titled LLCs:

- Flaum Management contributed through companies such as 12225 Jefferson, LP; 1999 MT RB LLC; 2250 Brighton-Henrietta, LLC; Edgemere Development Inc.; Onondaga Galleries LLC; and The Hague Corporation.
- The Galesi Group gave through 797 Broadway Group LLC; Albany Ventures, Inc., Development at Center City LLC-119; Green Island Corporation; HRY Holdings LLC; Northeastern Industrial Park, Inc.; Rotterdam Ventures; Schenectady Development, LLC-109; Scotia Industrial Park, Inc. – 047; and Selkirk Ventures LLC.

- Louis Cappelli wrote checks through LC Main LLC; LRC Industries; New Roc Parcel 1A Parking, LLC; and SPM Retail Operating.
- Wilmorite used holdings such as Greece Town Mall, LP; Pittsford Plaza Co, LP; Rochester Malls, LLC; Syracuse Airport Inn; and The Marketplace.

Local Lobbying – Spending Might be Hidden

An entity that lobbies local governments in New York only needs to report the details of their activities if the municipalities have a population of more than 50,000 people.⁸ An examination of the towns, villages, and cities that have been proposed as the sites of new casinos reveals 15 of the 16 localities fall under this threshold.

This is significant, since the New York State Gaming Commission has established statements of local support as a necessary criterion for licenses. The lack of disclosure of local lobbying activities in these communities makes it impossible to know how much is being spent to influence these governments and highlights that no single entity is charged with monitoring these activities.

Municipality	Population ⁹
<i>Schenectady</i>	66,078 ¹⁰
Newburgh	28,651
New Windsor	25,656
Montgomery	22,873
Amsterdam	18,290
East Greenbush	16,472
Thompson	15,179
Johnson City	14,937
Woodbury	10,688
Rensselaer	9,484
Ellenville	4,126
Tuxedo	3,608
South Blooming Grove	3,211
Nichols	2,538
Tyre	977
Howes Cave	Not recognized by Census Bureau ¹¹

⁸ New York State Joint Commission on Public Ethics, “Local Lobbying,” http://www.jcope.ny.gov/local/local_lobbying.html

⁹ Populations were determined by 2012 estimates provided by the Census Bureau at <http://www.census.gov/popest/data/cities/totals/2012/SUB-EST2012-3.html> and <http://www.census.gov/popest/data/cities/totals/2012/SUB-EST2012-4.html>

¹⁰ Lobbying of Schenectady officials is required to be disclosed under New York State law.

¹¹ While the government structures that will exhibit local support for Howes Caves are unclear to the authors, the population of its resident county, Schoharie, falls below the 50,000 threshold, so it is unlikely that any lobbying of regional local governments would necessarily be disclosed.

**Lobby Firms with Highest Combined Compensation/ Expenses on behalf of
Casino Bidders and Allies, 2012-2013**

31 different lobby firms were retained by bidders and their allies from 2012-2013.

Lobbyist/ Lobby Firm	Total
LYNCH, PATRICIA ASSOCIATES, INC.	\$855,708.00
CORDO & COMPANY, LLC	\$840,325.00
GAMING ASSOCIATION, INC. (NY)	\$814,232.00
MEARA AVELLA DICKINSON	\$603,977.00
DAN KLORES COMMUNICATIONS, INC. D/B/A DKC GOVERNMENT AFFAIRS	\$600,354.00
BOLTON ST. JOHNS, LLC	\$476,423.00
HINMAN STRAUB ADVISORS LLC	\$362,919.00
MASIELLO, MARTUCCI, CALABRESE AND ASSOCIATES	\$244,177.00
FEATHERSTONHAUGH, WILEY & CLYNE, LLP	\$184,321.00
VIDAL GROUP, LLC (THE)	\$181,684.00
BURGOS, TONIO & ASSOCIATES, INC.	\$180,000.00
DISTINCTIVE PUBLIC AFFAIRS, LLC	\$180,000.00
DELBELLO DONNELLAN WEINGARTEN WISE & WIEDERKEHR, LLP	\$160,080.00
MEARA, BRIAN R. PUBLIC RELATIONS, INC.	\$121,935.00
YORK GROUP ASSOCIATES	\$120,000.00
BENDER CANTONE CONSULTING	\$120,000.00
EMPIRE STRATEGIC PLANNING, INC.	\$92,501.00
CAPALINO, JAMES F. & ASSOCIATES, INC.	\$65,000.00
GOODE, CHRISTIAN (FKA HUGHES, KARA)	\$64,110.00
99 SOLUTIONS LLC.	\$60,000.00
STATE & BROADWAY, INC.	\$55,000.00
FOCUS MEDIA GROUP, INC.	\$50,000.00
BROWN & WEINRAUB, PLLC	\$45,868.00
ELK STREET GROUP, LLC (THE)	\$44,548.00
POLSINELLI PUBLIC AFFAIRS, LLC	\$31,000.00
HODGSON RUSS LLP	\$27,500.00
LEVY, NORMAN P.C.	\$24,300.00
MOVEMENT GROUP, LLC (THE)	\$22,500.00
PARK STRATEGIES, LLC	\$19,274.00
JUSTIN MCCARTHY CONSULTING, LLC	\$18,000.00
LM CONSULTING SERVICES, INC.	\$15,000.00

Lobbying Spending Likely to Increase

In the first two months of 2014, bidders and their allies spent \$508,704 on lobbying efforts:

Project	Entity	Lobbying, Jan-Feb 2014
Sterling Forest Resort/ Resorts World Hudson Valley/ Empire Resorts	Genting	\$160,545.00
None	NEW YORK GAMING ASSOCIATION	\$49,043.00
Lago Resort & Casino	SENECA NATION OF INDIANS	\$47,507.00
The Grand Hudson Resort & Casino	GREENETRACK INC.	\$45,000.00
Caesars New York	CAESARS ENTERTAINMENT OPERATING CO. CORP	\$31,851.00
Hudson Valley Casino & Resort	RUSH STREET GAMING LLC	\$30,426.00
Lago Resort & Casino	Wilmorite & Holdings	\$30,091.00
Nevele Resort, Casino & Spa	Nevele	\$26,000.00
Mohegan Sun at The Concord	Louis Cappelli	\$20,000.00
Traditions Resort & Casino	Traditions	\$20,000.00
Hard Rock	CAPITAL DISTRICT OFF-TRACK BETTING CORPORATION (FKA CAPITAL OTB)	\$17,743.00
Caesars New York/ Hard Rock	David Flaum/ Flaum Management	\$15,852.00
Mohegan Sun at The Concord	CONCORD ASSOCIATES, LP	\$10,030.00
Tioga Downs Casino, Racing & Entertainment	Jeff Gural and Holdings	\$4,616.00

While some of the entities discussed above have been involved in state politics for years, it is clear that many organizations are spending large sums of money for the first time. A review of contracts recently submitted to JCOPE shows that many of the bidders and their allies have retained lobby firms for the first time in recent months. The following pages include scans of some of these contracts.



GCA Leisure, LLC
555 Madison Avenue, 12th Floor
New York, NY 10022

April 28, 2014

Neil Sprague, Esq.
Senior Vice President and General Counsel
EPR Properties
909 Walnut Street, Suite 200
Kansas City, MO 64106

RE: Retention for Lobbying Services

Dear Neil:

This letter will serve as an agreement whereby GCA Leisure, LLC ("GCA") has been retained to represent EPR Properties ("EPR") for lobbying services before the New York State Gaming Commission and the New York State Gaming Facility Location Board in connection with matters relating to the Upstate New York Gaming Economic Development Act of 2013.

GCA will be compensated at the hourly rate of \$545 per hour.

This retainer is effective as of the date GCA registers this agreement with the New York State Joint Commission on Public Ethics and through December 31, 2014.

Sincerely,

GCA Leisure, LLC

By: 
Robert M. Pickus
Chief Executive Officer

ACCEPTED AND AGREED:

EPR Properties
By: 
Neil Sprague
Senior Vice President and General Counsel

Dated: 4/28/14

555 Madison Avenue, 12th Floor, New York, NY 10022
Tel: 212.508.4762
www.gcacap.com

PARK STRATEGIES, LLC

April 4, 2014

Emil Galasso
Howe Caverns
255 Discovery Drive,
Howes Cave, NY 12092

Dear Emil:

This Agreement is between Howe Caverns and Park Strategies, LLC ("Consultant") and relates to consulting services rendered by Consultant as an advisor to Company with respect to government relations, corporate development, strategic planning, and public relations.

The term of this Agreement shall commence as of April 4, 2014 and continue until July 3, 2014. This term may be extended or modified pursuant to the mutual written agreement of the parties. Either party could terminate this relationship with 30 days written notice.

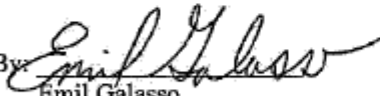
In consideration of such aforementioned consulting services rendered or to be rendered, Company will pay to Consultant \$12,000.00, due and payable on the 1st day of each month, with the exception of the first monthly fee, which is due upon the execution of this Agreement.

All information which the Consultant presently has or which may come into Consultant's possession during the engagement relative to the business activities of Company or its clients which is of a secret or confidential nature is and shall remain the property of Company. Consultant shall not, during the engagement or thereafter, disclose to others or use for the benefit of others or itself any such information so long as such information is treated as secret or confidential by Company.

This Agreement shall be governed and construed in accordance with the laws of the State of New York, without reference to choice of law doctrine.

If the above is consistent with your understanding of the Agreement between Company and Consultant, please sign below and return to the undersigned.

Park Strategies, LLC
101 Park Avenue
Suite 2506
New York, NY 10178

By: 
Emil Galasso
President

By: 
Alfonse M. D'Amato
Managing Director

Date: 4/9/14

Date: 4/9/2014

**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**

THOMAS R. BEIRNE
BRIAN T. BELOWICH*
ANN FARHESSEY CARLSON*
ALFRED B. DELBELLO
ALFRED E. DONNELLAN†
JANET J. GRISY
FRANK J. HAUFEL
ROBERT HERMANN
FAITH G. MILLER
PATRICK M. REBELLY
ELIOT M. SCIUSSMAN
BRADLEY D. WANK*
MARK P. WEINGARTEN*
EVAN WIEDERKEHR
LEE S. WIEDERKEHR
PETER J. WISE, AICP †

JACOB E. AMIR
JENNIFER M. JACKMAN*
ERIC J. MANDELL
SUSAN CURRIE MORRHOUSE
MICHAEL J. SCHWARZ*
DANIEL G. WALSH
HEIDI WINSLOW

COUNSELLORS AT LAW
THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601

(914) 681-0200
FACSIMILE (914) 684-0288

ANDREW J. BALINT
RICHARD BEMPORAD
GERALD K. GREST
BRANDON R. SALL*
DAVID R. SELZNICK & CO., LLP
COUNSEL
*MEMBER OF NY & CT BARS
†MEMBER OF NY & NJ BARS
*MEMBER OF NY & DC BARS
†MEMBER OF NY, NJ & MA BARS
*MEMBER OF NY, NJ, CT & FL BARS

Via Email and Regular Mail

Louis R. Cappelli
Concord Associates, LP
7 Renaissance Square
White Plains, New York 10601

Re: Engagement of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP

Dear Louis:

You have requested that the firm of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP ("DDWWW") represent Concord Associates, LP, and its affiliates (the "Client") in connection with providing counseling and lobbying services before the New York State Executive and Legislative Branches, as well as local lobbying (the "Services"). The purpose of this letter is to state the terms and conditions of our agreement.

This will confirm that DDWWW has been retained to represent, advise and counsel Client with regard to the Services. DDWWW shall monitor, track and advise Client, review subject, background and pertinent materials, advise Client with respect to strategies, schedule and participate in meetings with Client and the Client team and/or appropriate government officials upon reasonable notice and review and comment upon draft submission materials produced by Client. Such Services may include "lobbying activity" as defined under New York State Law.

Client agrees to pay DDWWW as compensation for the above-described Services as follows:

- a) The sum of \$5,000.00 per month for a period not to exceed twelve (12) months from January 1, 2014 through December 31, 2014, unless extended by both parties;
- b) Client will reimburse DDWWW for certain costs and expenses, including but not limited to, travel expenses, long distance telephone charges, photocopying, support staff overtime (when necessitated by the demands of the matter), computer assisted research, overnight express services, messenger services, and postage.

1371635_2
0027024-115

DDWWW will bill Client on a monthly basis for Services performed and costs incurred. Payment is due not later than thirty (30) days following the invoice date. Past due amounts will be shown on the invoice and the firm reserves the right to charge interest on any delinquent amount at the rate of 10% per annum compounded monthly.

DDWWW shall have the right to subcontract lobbying Services, other than lobbying Services that are legal Services, under this Agreement to a registered lobbying firm as DDWWW shall deem advisable; provided, however, that any such subcontractor shall be subject to the prior approval of Client.

It is understood that this engagement letter in no way guarantees any specific government action or result. Since Services contemplated by this agreement may constitute "lobbying" as defined under New York State Law, a copy of this retainer will be filed with the New York State Joint Commission on Public Ethics.

Client shall have, at all times, the right to terminate DDWWW upon written notice to that effect. DDWWW shall have the right to terminate Services to Client upon written notice to that effect in the event that it failed to cooperate with the Firm in any reasonable request, failed timely to pay any fees or disbursements due to DDWWW in connection with this agreement, or if DDWWW is required to withdraw because of ethical or legal considerations as it determines in its sole discretion.

If the foregoing terms and conditions accurately summarize and confirm your understanding of our agreement, please indicate your approval and acceptance by signing, dating and returning a copy of this letter by facsimile or e-mail and returning the original in the enclosed, stamped, self-addressed envelope. Enclosed for your records is an executed copy of this letter. This agreement will not become effective and we will have no obligation to provide Services until you sign and return a copy of this letter.


We look forward to working with you.

Very truly yours,


ALFRED E. DONNELLAN

Accepted this 6 day of January, 2014.

CONCORD ASSOCIATES L.P.

By: 
LOUIS R. CAPPELLI

mine

BOLTON-ST. JOHNS, LLC

November 22, 2013

Rush Street Gaming, LLC
900 N Michigan Avenue, # 6000 900
Chicago, Illinois 60611-6000 6543

ED
ED
JC

Bolton-St. Johns, LLC agrees to provide Rush Street Gaming with legislative and regulatory representation and interaction with state and local governments in New York State beginning November 25, 2013 until terminated by either party upon thirty (30)-days written notice.

ED
JC
LC

The fee shall be payable \$15,000 per month beginning November 25, 2013, provided for a partial month.

If the above meets with your approval, please so indicate by signing and dating this letter in the space provided below and returning it to our Albany office. We will file a copy of this signed letter with the New York State Joint Commission on Public Ethics.

Agreed to and Accepted By:

Rush Street Gaming, LLC

Greg Carlin, CEO

Date: 12/4/13

Bolton-St. Johns, LLC

Ed Draven, Partner

LL-00031464

BROWN & WEINRAUB, PLLC

ATTORNEYS AT LAW

50 State Street, 4th Floor • Albany, New York 12207
Telephone (518) 427-7350 • Facsimile (518) 427-7792

New York City Office
233 Broadway, Suite 2070
New York, New York 10279
(212) 566-4600

Patrick E. Brown
pbrown@brownweinraub.com

November 5, 2013

Mr. Thomas Wilmot
Syracuse Raceway
1265 Scottsville Road
Rochester, New York 14624

RECEIVED DEC 10 2013

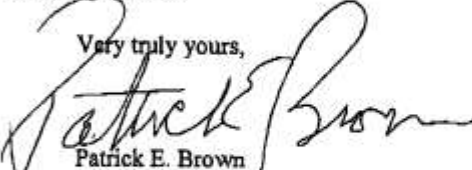
Dear Mr. Wilmot:

Brown & Weinraub, PLLC agrees to provide strategic advice, legislative and regulatory representation and external communication and public relations with respect to the Thruway Casino project on behalf of Syracuse Raceway upon execution. The fee for this representation is \$15,000 per month, plus expenses. We further agree to obtain prior approval for any extraordinary expenses. This agreement may be terminated by either party, by providing the other party with thirty (30) days written notice.


You understand and agree that we may subcontract for certain communications and public relations assistance, provided, however, that those services will be included within our monthly fee.

If the above meets with your approval, please so indicate by signing this letter in the space provided below and returning it to me at the above address.

We will register as lobbyists for Syracuse Raceway with the New York State Joint Commission on Public Ethics upon receipt of this executed agreement.

Very truly yours,

Patrick E. Brown

ACCEPTED AND AGREED

By: 
Thomas Wilmot

Date: Dec 1 2013