

The seal of the Nebraska Racing and Gaming Commission is a circular emblem. It features a grey outer ring with the word "NEBRASKA" at the top and "RACING AND GAMING COMMISSION" at the bottom, separated by five white stars. The center of the seal contains a stylized illustration of a horse and jockey, with a red "NRGC" logo overlaid. The text "Nebraska Racing and Gaming Commission" is written in a black, italicized serif font across the top half of the seal, and "Racetrack Gaming Operators License Application" is written in the same font across the bottom half.

*Nebraska Racing and  
Gaming Commission  
Racetrack Gaming  
Operators License  
Application*

## **A MESSAGE FROM THE DIRECTOR:**

Dear Applicant,

Thank you for your interest in establishing an equine racetrack within the jurisdiction of Nebraska. The Nebraska Racing and Gaming Commission is committed to fostering a thriving, safe, and transparent horse racing industry in our state.

**A RACETRACK OPERATOR'S LICENSE** is required in accordance with the Nebraska Revised Statute § 2-1201 through § 2-1219, which govern the licensing and authorization of horse racing operations in Nebraska.

Our primary objectives are to ensure equine safety, maintain a fair and honest racing environment, and uphold the integrity of the sport. The licensing process is designed to be comprehensive and rigorous, in alignment with the Racetrack Gaming Act. This approach allows us to carefully evaluate and regulate those who seek to participate in the horse racing industry, thereby protecting the interests of both the horsemen and the public.

The application process involves an extensive background investigation of your business and all affiliated individuals. This thorough examination is essential to our regulatory responsibilities. The findings of this investigation will be presented to the Nebraska Racing and Gaming Commission for consideration of your application.

Additionally, our licensing office operates on a schedule that includes specific days for different locations, which you should take into account when planning your application submission.

We appreciate your understanding of the rigorous nature of this process. It is designed to uphold the highest standards of integrity and safety within the horse racing industry in Nebraska.

The Nebraska Racing and Gaming Commission and its staff look forward to working with qualified applicants who share our commitment to excellence in horse racing. We wish you success in your endeavors and thank you for your interest in contributing to Nebraska's equine racing industry.

Sincerely,

Casey Ricketts  
Executive Director  
Nebraska Racing and Gaming Commission

## APPLYING FOR YOUR **Racetrack Gaming Operators License**

**1**

### **OBTAIN YOUR APPLICATION**

Applications can be obtained by calling 402-471-4155 or going to our website [racingcommission.nebraska.gov](http://racingcommission.nebraska.gov).

**2**

### **FILL OUT YOUR APPLICATION**

Items you must provide:

- Application forms (*completed, signed & notarized*)
- Supporting documentation as specified on the attached Application Instructions Checklist

**3**

### **SUBMIT YOUR APPLICATION** Nebraska Racing and Gaming Commission

Deliver hard copy to: 3401 Village Drive, Suite 100  
Lincoln, Nebraska 68514

Deliver electronic copy (in a text searchable document format) to: [Laurie.Holman@nebraska.gov](mailto:Laurie.Holman@nebraska.gov)

Make a check or money order payable to: **The Nebraska Racing and Gaming Commission**

**4**

**ONLY UPON THE RECEIPT OF A COMPLETED APPLICATION WILL  
THE REVIEW PROCESS BEGIN**

- 1 APPLICATION FULLY COMPLETED IN BLACK INK**  
Type or clearly print an answer to every question. If a question does not apply to you, indicate so with an N/A. If you are unsure if a question applies to you or what information the form is asking you to provide, contact the Nebraska Racing and Gaming Commission office to seek clarification. If the available space is insufficient, continue on a separate sheet and precede each answer with the appropriate title.
- 2 ALL FORMS SIGNED & ATTACHED**  
The following accompanying forms must be signed and returned with the application:
- Affirmation & Consent
  - Investigation Authorization/Authorization to Release Information
  - Applicant's Request to Release Information (leave top line of form blank)
  - REQUEST FOR FINANCIAL RECORDS AND RELEASE FROM LIABILITY**
- 3 ALL REQUESTED INFORMATION ATTACHED**  
The following information must be attached, if applicable:
- All applicable information requested on pages 1 through 15 of the application
  - Trade Name Registration if applicable
  - Certificate of authority to do business in the state of Nebraska if incorporated or organized outside NE
  - Articles of Incorporation, including amendments and restated articles
  - Articles of Organization or Certificates of Organization, including amendments
  - Bylaws
  - Organizational minutes and/or other corporate records reflecting ownership and election of officers or managers
  - Partnership Agreement or Operating Agreement, including amendments
  - Trust Agreement, including amendments
  - Tax filings for the past three years
  - If a corporation, SEC filings for past 3 years and meeting minutes from past 12 months
  - If a partnership or limited liability company, a list of the amount and date of each capital contribution of any partner to the applicant
  - Organizational chart listing positions being held for racing operations, along with their duties & responsibilities
- NOTE:** The Commission reserves the right to request additional information and documentation throughout consideration of this application.
- 4 INFORMATION ON EXECUTIVE SHAREHOLDERS**  
For applicants other than corporation, list the names and addresses of all executive officers and managerial officers. Indicate positions and offices held by each person named and their principal occupation(s) during the past three years.  
State in complete detail whether the applicant, or any director, executive officer, stockholder or manager has owned an interest in or has been employed by any firm, partnership, association or corporation previously licensed to conduct a race meeting in any jurisdiction.
- 5 APPLICATION FEES AND BACKGROUND DEPOSIT**  
Submit appropriate license, application, and background fees.
- Gaming Operator: \$5,000.00 nonrefundable license fee
  - Check or money order payable to: **Nebraska Racing and Gaming Commission**
- 6 DELIVER APPLICATION**  
Deliver the application by hard copy and an electronic copy (in a text-searchable document format) to:  
Nebraska Racing and Gaming Commission  
3401 Village Drive, Suite 100, Lincoln Nebraska 68516  
[Laurie.Holman@nebraska.gov](mailto:Laurie.Holman@nebraska.gov)

Nebraska Racing and Gaming Commission  
**Nebraska Racetrack Gaming Operator**

Applicant's Name			Control Number (Assigned by Gaming Control Board)		
Doing Business As (DBA) & Trade Names			E-mail Address		
Street Address of Gaming Business (Required for Operator applicants)				Business Phone Number (       )	
City	State	Zip	Business FAX Number (       )		
Mailing Address, if different from Street Address (city, state, zip)					
<b>On a separate sheet, list all principal places of business for the past 10 years if different from above.</b>					
Primary Contact Person for Business			Title		Primary Contact Phone Number (       )
Primary Contact Address (city, state, zip)				Primary Contact FAX Number (       )	
Type of Business Structure					
<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Co <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Publicly Traded Corp <input type="checkbox"/> Trust <input type="checkbox"/> Other					
State of incorporation or creation of business entity				Date	
Date of qualification to conduct business in Nebraska (PROVIDE CERTIFICATE OF AUTHORITY OR EQUIVALENT FROM NE Secretary of State)					
If a corporation, list all states where corporation is authorized to conduct business					
List all names used by the business entity (other than above)					
<b>Attach copies of all articles of incorporation, bylaws, articles of organization, certificate of organization, operating agreement, or a true copy of any partnership, trust agreement or equivalent, including any and all amendments to such.</b>					
<b>Attach copies of biennial reports and SEC filings, if any, for past three years, and all minutes from all company meetings in the past 12 months.</b>					
<b>Premises Information (For Operators)</b>					
Total Square Footage of the Building (Gross Building Area)		Total Square Footage to Be Licensed for Gaming		Anticipated # of Gaming Devices	
<b>Drawing to scale of the building and each floor in which gaming will be conducted. Also attach a copy of your lease or rental agreement (and amendments thereto), property ownership, or other proof of legal possession of the premises.</b>					

<b>FOR AGENCY USE ONLY</b>			
<input type="checkbox"/> Check #	<input type="checkbox"/> Money Order #	Application Control #	Entity Control #

## OWNERSHIP STRUCTURE

List all persons and/or entities with ownership interest, and all officers and directors, whether they have ownership interest or not. If an entity (corporation, partnership, LLC, etc.) has interest, list all persons affiliated with such entity; their ownership in the entity, and their effective ownership in the license. List all parent, holding or other intermediary business interests. A Key Person Application form must be submitted for each person including officers, directors, equity security holders of 5% or more, partners, general partners, limited partners, trustees, beneficiaries, key persons and any other individuals who exert significant influence in the company. If a publicly traded corporation, submit recent shareholder list from your transfer agent for all shares of common and preferred stock. See attached Ownership structure example attached as appendix A.

Make additional copies of this page, if necessary.

Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Name	Title	SSN/FEIN	Date of Birth	Application Submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip)			Phone ( )	
Business Affiliated With (Parent business or sub-entity)		Own. % in Business Affiliated With	Effective Own. % in Applicant	
Total Shares Authorized		Total Shares Outstanding		Type of Shares Issued <input type="checkbox"/> Preferred <input type="checkbox"/> Common
Are there any outstanding options and warrants? <input type="checkbox"/> YES* <input type="checkbox"/> NO *If YES, attach list of persons with outstanding options and warrants				
Are there any other persons, other than those listed in the ownership structure, including but not limited to suppliers, lenders and landlords, who will receive, directly or indirectly, any compensation or rents based upon a percentage or share of gross proceeds or income of the gaming venture or who will enter into a contract or contracts with the applicant to manage its gaming operations or to conduct business in the applicant's gaming establishment or business operation? <input type="checkbox"/> YES* <input type="checkbox"/> NO *If YES, attach list of persons and submit Key Person Application forms for each and attach copies of all agreements and/or contracts.				

## LICENSING HISTORY

1. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever applied  YES  NO for a gaming license in this or any other jurisdiction, foreign or domestic, whether or not the license was ever issued? If YES, provide details on a separate sheet, including jurisdiction, type of license, license number, and dates license held or applied for.
2. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever been  YES  NO denied a gaming license, withdrawn a gaming license or had any disciplinary action taken against any gaming license that they have held in this or any other jurisdiction, foreign or domestic? If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action.
3. Is the applicant, the applicant's parent company or any other intermediary affiliate of applicant in good  YES  NO corporate standing in Nebraska, as certified by the Nebraska Secretary of State or its successor agency, the Public Regulation Commission, and in all other states where it transacts business? If NO, provide details on a separate sheet.
4. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever been  YES  NO charged with, or convicted of, any illegal gaming activity in Nebraska or any other jurisdiction? If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action.

## FINANCIAL HISTORY

1. Is the applicant, the applicant's parent company or any other intermediary affiliate of applicant delinquent in  YES  NO the payment of any judgments or tax liabilities due to any governmental agency anywhere? If YES, provide details on a separate sheet and attach any documents to prove settlement or resolution of the delinquency.
2. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever held  YES  NO a financial interest in a gambling venture, including but not limited to, a race track, dog track, race horse or dog, lottery, casino, bookmaking operation, internet casino, card room, bingo parlor or pull tabs, whether or not a license to hold such interest was applied for or received? If YES, provide details on a separate sheet.
3. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever filed  YES  NO a bankruptcy petition, had such a petition filed against it, or had a receiver, fiscal agent, trustee, reorganization trustee or similar person appointed for it? If YES, provide details on a separate sheet and attach any documents from the bankruptcy court.
4. Does the applicant, the applicant's parent company or any other intermediary affiliate of applicant now own,  YES  NO has it ever owned, or does it otherwise derive a benefit from, assets held outside the United States, whether held in the business' name or another name, on its behalf or for another entity, or through other business entities, or in trust, or in any other fashion or status? If YES, provide details on a separate sheet.
5. Is the applicant, the applicant's parent company or any other intermediary affiliate of applicant currently a  YES  NO party to, or has it ever been a party to, in any capacity, any business trust instrument? If YES, provide details on a separate sheet.
6. Has a complaint, judgment, consent decree, settlement or other disposition related to a violation of federal,  YES  NO state or similar foreign antitrust, trade or security law or regulation ever been filed or entered against the applicant, the applicant's parent company or any other intermediary affiliate of applicant? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal.

Applicant's Printed Name			Federal Tax ID		CRS ID#	
Authorized Signature				Date		

## FINANCIAL HISTORY (Continued)

7. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever been a party to a lawsuit within the last five years, either as a plaintiff or defendant, complainant or respondent, or in any other fashion, in this or any other country? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal.  YES  NO
8. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant filed a business tax return in the past three years? If YES, attach all business tax returns filed in the past three years.  YES  NO
9. Is the applicant a prospective business or has it recently (within two years) begun operations? If so, submit an estimated beginning balance sheet (proforma) and a statement of amount(s) and source(s) of funding for the business and specific documentation to support the declaration.  YES  NO
10. Is the applicant a party to a lease of the land to be used for gaming operations? If YES, attach copies of all leases to which the business is a party.  YES  NO
11. Does the applicant have a compliance committee or compliance officer? If YES, attach a copy of compliance committee minutes or compliance officer reports from the past 12 months.  YES  NO
12. Has any interest or share in the profits from gaming been pledged or hypothecated as security for a debt or deposited as a security for the performance of an act or to secure the performance of a contract? If YES, provide details on a separate sheet.  YES  NO
13. Has the applicant, the applicant's parent company or any other intermediary affiliate of applicant ever been a party to a bankruptcy within the last ten years, either as a plaintiff or defendant, complainant or respondent, or in any other fashion, in this or any other country? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal.  YES  NO

## FINANCIAL HISTORY ATTACHMENTS

1. Attach a list detailing the operating and investment accounts for this applicant or equivalent, including financial institution name, address, telephone number, and account number for each account.
2. Attach a list detailing each outstanding loan and financial obligation obtained for use in this business, including creditor name, address, phone number, loan number, loan amount, loan terms, date acquired, and date due.
3. Attach balance sheets and profit and loss statements, **certified** by independent certified public accountant(s) covering the last three years for the applicant, the applicant's parent company and any intermediary affiliates of applicant. Applicants that are subsidiaries of publicly traded companies can provide audited financial statements issued pursuant to Securities and Exchange Commission guidelines for Form K.
4. If the business entity has been in business for less than three years, attach balance sheets and profit and loss statements from the time of commencement of business operations and projected for three years from the time of commencement of business operations.
5. Attach a list of persons other than directors, officers, and key persons whose salaries plus bonuses exceed \$150,000 per year.
6. Attach a description of any bonus or profit-sharing arrangements within your organization.
7. Supply all existing contracts between the Applicant and businesses in Nebraska and any contracts over \$500,000 outside Nebraska. If there is no written contract, then indicate the business arrangement showing business dealing, phone number, and address.



## ANY CHANGES IN OWNERSHIP OR BUSINESS STRUCTURE

Person who maintains applicant's business records	Title
Address	Phone Number
Person who prepares applicant's tax returns, government forms & reports	Title
Address	Phone Number
Location of financial books and records for applicant's business	
Applicant's Printed Name (Last Name, First Name, Middle Name)	
Signature of Applicant	Date

**Schedule A**  
**STATEMENT OF PRE-OPENING CASH**  
**Nebraska Gaming Operators Application**

<b>A. Funds Available Prior to Opening:</b>	<b>Totals</b>
1. Current investments (attach schedule providing detail as to who invested the money and what interest in the firm or entity they received for their investment.)	\$
2. Current loans from lending institutions (attach schedule identifying the institution date of each loan, the terms of each loan, and original and current balance).	\$
3. Current loans from individuals and other business entities (attach schedule identifying the individual or business, date of each loan, the terms of each loan, and original and current balance).	\$
4. Anticipated investments (attach schedule providing detail as to who will invest the money and what interest in the firm or entity they will receive for their investment).	\$
5. Anticipated loans from lending institutions (attach schedule certifying the institution and terms of the loan).	\$
6. Anticipated loans from individuals and other business entities (attach schedule identifying the individuals and other business entities and the terms of each loan).	\$
<b>Total Funds Available Prior to Opening:</b>	<b>\$</b>
<b>B. Expenditure or Disposition of Available Funds Prior to Opening:</b>	
1. Prepaid Gaming Taxes and Licenses:	
a. Federal Government Tax & Fees	\$
b. Application Fees	\$
c. Background Investigation Fee	\$
d. Other (describe)	\$
<b>Total Prepaid Gaming Taxes and Licensing Related Fees</b>	<b>\$</b>
2. Other License Fees (Attach Schedule)	\$
3. Incurred Expenditures for:	
a. Building, Including Construction and Repair (Attach Schedule)	\$
b. Equipment (Attach Schedule)	\$
c. Supplies (Attach Schedule)	\$
d. Attach all Other Pre-Opening Expenditures (Salaries, Advertising, Deposits, Etc.) (Attach Schedule)	\$
4. Anticipated Expenditures for:	
a. Building, Including Construction and Repair (Attach Schedule)	\$
b. Equipment (Attach Schedule)	\$
c. Supplies (Attach Schedule)	\$
<b>Total Pre-Opening Cash Used</b>	<b>\$</b>

<b>C. Cash Available for Operation (A Minus B)</b>		
<b>Show in what form this cash will be:</b>		
a.	Bank	\$
b.	Other Cash Register Funds	\$
c.	Other (Describe)	\$
Printed Full Legal Name of Agent (Last Name, First Name, Middle Name)		
Signature of Authorized Agent		Date

\* **Subsidiaries of publicly traded companies can provide audited financial statements issued pursuant to Securities and Exchange Commission guideline for Form K.**

**Schedule B-2**

# First-Year Cash Flow Projections for Racetrack Gaming Operators

## Nebraska Racetrack Operators Gaming Application

Applicant's Name	Total All Operations	Gaming Operations	Food & Beverage Amount	Other Operations (describe)	Other Operations (describe)
Twelve-Month Period Ended					
<b>1. INCOME</b>					
2. Gross revenue (but for gaming operations show expected gross coin-in)					
3. Cost of Sales (for gaming operations, show expected payout)					
<b>4. GROSS MARGIN (Line 2 – Line 3)</b>					
<b>5. DIRECT EXPENSES</b>					
6. Cost of purchasing, leasing and/or servicing gaming machines & assoc. equip.					
7. Gaming Taxes					
8. Payroll Taxes and Benefits					
9. Payroll – Officers and Owners					
10. Payroll – Other Employees					
11. Other Direct Expenses (Describe)					
<b>12. Total Direct Expenses (Sum of Lines 6 through 11)</b>					
<b>13. NET INCOME BEFORE G &amp; A EXPENSE (Line 4 - Line 12)</b>					
<b>14. GENERAL AND ADMINISTRATIVE EXPENSES</b>					
15. Advertising and Promotion					
16. Depreciation and Amortization					
17. Other Taxes and Licenses					
18. Debt Principal & Interest Expenses (Attach Schedule)					
19. Music and Entertainment Expenses (Describe)					
20. Rent of Premises					
21. Payroll Taxes and Benefits					
22. Payroll – Officers and Owners					
23. Payroll – Other Employees					
24. Other G and A Expenses (Describe)					
25. Total G and A Expenses (Sum of Line 15 through Line 24)					
<b>26. NET OPERATING INCOME (Line 13 - Line 25)</b>					
27. Add Back Non-Cash Expenses (Line 16)					
<b>28. INCREASE IN CASH from Operations (Line 26 + Line 27)</b>					
29. Add Opening Cash (From Schedule A)					
<b>30. Ending CASH (Line 28 + Line 29)</b>					

**INSTRUCTIONS**

- Record on this schedule the anticipated results of your operations for a full 12 months.
- Round all amounts to the nearest ten, hundred, or thousand dollars, whichever is most appropriate.
- Attach supplementary schedules to explain or clarify assumptions used in calculating all income and expenses.
- Cost of sales is the cost of merchandise sold. For gaming operations, show estimated payout only.
- Add back non-cash expenses (line 28). This will generally be “depreciation and amortization expense” amounts.

# CERTIFICATION

I,                     *Applicant's Printed Name*                    , acknowledge, understand and agree that by applying for and accepting any license, certification, registration, renewal, finding of suitability, or other approval (each a "License") from the Nebraska Racing and Gaming Commission ("Commission"), I am certifying to the Commission that:

1. I have read the Nebraska Racetrack Gaming Act Sections 9-1101 through 9-1208 and administrative rules, plans and policies adopted or approved by the Commission (collectively "Rules"), and I understand the requirements of the Act and Rules.
  
2. I have read the minimum internal controls established or approved by the Commission for use by the gaming operator licensee ("Licensee") for which I am a key person, and I understand the requirements of the minimum internal controls, *OR*, I certify that the minimum internal control requirements do not apply to my job duties.
  
3. I have read the compulsive gambling assistance plan required by the Act and Commission rules and approved by the Commission for use by the Licensee, and I understand the requirements of the compulsive gambling assistance plan, *OR*, I certify that the compulsive gambling assistance plan requirements do not apply to my job duties.
  
4. I understand and agree that, as a key person, I am responsible for the Licensee's compliance with the Act and Rules including, where applicable to my job duties, the minimum internal controls and compulsive gambling assistance plan.
  
5. I am signing this Certification with the knowledge that the Licensee and I will be subject to disciplinary action, including fines and/or revocation or suspension of the License, for failure to comply with the Act or Board rules including, where applicable to my job duties, requirements of the minimum internal controls and compulsive gambling assistance plan.

Printed Full Legal Name (Last, First, Middle)	
Signature (Must be notarized by notary public)	Date:

State of \_\_\_\_\_ )  
 )  
 County of \_\_\_\_\_ )

Subscribed and sworn to before me by \_\_\_\_\_ and \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires: \_\_\_\_\_ Signed: \_\_\_\_\_

Notary Public

[SEAL]

# AFFIRMATION & CONSENT

I, Applicant's Printed Name, as authorized agent of the Applicant, state under penalty of perjury that the entire Gaming Application, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a gaming license or certification by the State of Nebraska. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial of a gaming license or certification or the revocation of the license or certification. I am voluntarily submitting this application on behalf of the Applicant to the Nebraska Racing and Gaming Commission under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Nebraska law. I further consent to any background investigation necessary to determine the present and continuing suitability of the Applicant and that this consent continues as long as the Applicant holds a Nebraska gaming license or certification, and for 90 days following the expiration or surrender of such gaming license or certification. I understand that further information may be requested of the Applicant in regard to this application, and the Applicant agrees to supply such information upon request. I also agree that the Nebraska Racing and Gaming Commission shall be entitled to collect from the Applicant all fees, costs and expenses incurred in investigating this application.

Applicant's Business Name	Trade Name (DBA)
Printed Full Legal Name of Agent (Last, First, Middle)	Title
Signature	Date

State of \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 County of \_\_\_\_\_ )

Subscribed and sworn to before me by \_\_\_\_\_ and \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires: \_\_\_\_\_ Signed: \_\_\_\_\_  
Notary Public

[SEAL]



# APPLICANT'S REQUEST TO RELEASE INFORMATION

TO: NRGC Use Only FROM: Applicant's Printed Name

**ON BEHALF OF THE APPLICANT:**

1. I hereby authorize and request a review, full disclosure, and release of any and all information, materials, and documents concerning the applicant requested by the Nebraska Racing and Gaming Commission ("Commission"), its agents, or employees, whether the information, materials, and documents are of a public, private, or confidential nature and whether the information, materials, and documents would otherwise be protected from disclosure by any constitutional, statutory or common law privilege.
2. I understand that by signing this request, a financial records check will be conducted. I authorize the person named above to release to the Commission, its agents, or employees, a complete and accurate record of the applicant's financial transactions, including but not limited to internal banking memoranda, past and present loan applications, checking account records, savings deposit records, safe deposit box records, securities transactions, and any other documents relating to the applicant's personal or business financial records in whatever form and wherever located.
3. I authorize the Commission, its agents, or employees to determine the person or entity to whom this request is to be presented and to insert that person's or entity's name in the appropriate location in this request.
4. I understand that the Commission, its agents, or employees will conduct a complete and comprehensive investigation to determine the validity of all information gathered. The Commission, the State of Nebraska, and the agents and employees of either, will not be held liable for inaccurate information.
5. If this request is not sufficient to obtain access to certain records, I understand that I or another authorized representative of the applicant may be asked to sign another appropriate authorization or release and that any failure to do so may be taken into consideration by the Commission, its agents, or employees in reviewing the application.
6. I understand that I may revoke this request in writing on behalf of the applicant, at any time and that the Commission, its agents, or employees may take the revocation into consideration in reviewing the application.
7. This request is valid for a period not to exceed 18 months from the date of execution.
8. I, for the applicant and its agents, administrators, successors, and assigns, hereby release the providers of the information collected pursuant to this request, and their agents and employees, from any and all liability arising out of or by reason of complying with this request.
9. A photocopy of this request will be considered as valid and effective as the original.
10. Upon receipt by the Commission of a written request indicating an application in another jurisdiction for a gaming related license or permit, I/we consent to the disclosure of confidential information compiled by the Commission in connection with my Commission application to any law enforcement or any regulatory agency in that other jurisdiction, including any other state, the government of the United States, foreign country or Indian Tribe.

**Authorized Signature**

Applicant's Business Name	Trade Name (DBA)
Printed Full Legal Name of Agent (Last, First, Middle)	Title
Signature of Authorized Agent	Date

State of \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 County of \_\_\_\_\_ )

Subscribed and sworn to before me by \_\_\_\_\_ and \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_.

My commission expires: \_\_\_\_\_ Signed: \_\_\_\_\_

Notary Public

[SEAL]





**ADDITIONAL REQUIREMENTS****1****BUSINESS PLAN**

An applicant for a gaming operator's license must submit with the application a proposed business plan for the conduct of gaming. The plan must include, at a minimum, all of the following elements, in the order shown below.

- Architectural Plans and specifications. The plans, drawings, and specifications for the construction, furnishing, and equipping of the Gaming Facility, including, but not limited to, detailed specifications and illustrative drawings or models depicting the proposed size, layout and configurations of the component parts of the facility, including electrical and plumbing systems, engineering, structure, and aesthetic interior and exterior design as are prepared by one or more licensed professional architects and engineers.
- The total estimated construction cost of the gaming facility proposed by the applicant distinguishing between known costs and projections, and separately identifying:
  - (1) A facility design expense;
  - (2) Land acquisition or site lease costs;
  - (3) Site preparation costs;
  - (4) Construction cost or renovation cost;
  - (5) Equipment acquisition cost;
  - (6) Cost of interim financing;
  - (7) Organization, administrative and legal expenses; and
  - (8) Projected permanent financing costs.
- An estimated timetable for the proposed financing arrangements through completion of construction.
- The construction schedule proposed for completion of the Gaming Facility including therein projected dates for completion of construction and commencement of Gaming Activities and indicating whether the construction contract includes a performance bond.
- Explanation and identification of the source or sources of funds for the construction of the Gaming Facility.
- A general description of the type and number of Gaming Devices proposed for operation.
- Generic description of the games to be played on the machines and the proposed placement of the machines in the Gaming Facility.
- Proposed administrative, accounting, and internal controls procedures, including monetary control operations.
- A general promotion and advertising plan. A general description of the amounts, kinds and types of general promotion and advertising campaign(s) which will likely be undertaken by the applicant including information whether any national or regional advertising will occur, the medium(s) which may be used, the proposed market and whether any other facility or activity except the Gaming Facility will be included in such advertising.
- Proposed security plan in accordance with Chapter 6 of the Racetrack Gaming Rules.
- Proposed staffing plan for gaming operations, provided that such plan is updated at least one-hundred-twenty (120) days prior to the proposed opening date of the Gaming Facility to include the identification of those employees proposed for a position that may require a Level I Occupational License.
- Method to be used for prize payouts (i.e. annuity, lump sum, cash, reward credits).
- Details of any proposed progressive systems.
- Organizational chart depicting appropriate segregation of functions and responsibilities.
- Description of the duties and responsibilities of each position shown on the organizational chart.
- Written statement signed by the licensee's chief financial officer and either the licensee's chief executive officer or a licensed owner attesting that the system satisfies statutory requirements.
- If the written system is submitted by an applicant, a letter from an independent certified public accountant stating that the applicant's written system has been reviewed by the accountant and complies with statutory requirements.
- Staffing plan for gaming operations, including identification of key persons and employees.
- Details of escrow account(s).
- Details of depository account for payment of gaming taxes.
- Gaming machine payment provisions including copies of all contracts to purchase gaming machines.
- Compulsive gambling assistance plan in accordance to Chapter 12 of the Rules and Regulations for Racetrack Gaming.
- Plans for training and deterring of a human tracking.
- Insurance requirement according to 3.018 of the Rules and Regulations for Racetrack Gaming.

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### **RACETRACK GAMING OPERATOR LICENSE APPLICANTS**

All of the following documents must be submitted in the order shown below.

- Current copy of license to conduct pari-mutuel wagering for the facility you will be operating at.
- Schedule of live race days and live races during licensed race meets for the previous and current calendar years.
- Attach copy of any business license, liquor license, or any other regulated license.

**ADDITIONAL INFORMATION REQUIRED FOR GAMING OPERATORS LICENSE  
RELATING TO POSSESSION OF LICENSED PREMISES**

Provide the following information if the applicant leases all or part of the proposed licensed premises. Use additional sheets, if necessary.

Name, address and brief statement of the nature of business of the lessor of the premises

Brief description of the material terms of the lease

Statement describing any business relationships between the applicant and the lessor other than the lease

If an applicant owns all or part of the premises on which gaming is proposed, fully disclose below complete information about the interest held by any other person, including an interest held under any mortgage, deed of trust, bond or any other instrument

## Appendix A OWNERSHIP STRUCTURE EXAMPLE

DBF CASINO CORP. —A privately held company (Applicant)

Affiliated Person	Title	Ownership	Effective Own.
Sarah Braunis	President	50%	50%
Dewey Cheatham	Shareholder	20%	20%
Elvis Ganzemacher	Director	0%	0%
TWF Gaming Inc.		30%	30%
Mervyn P. Merdstone	CEO	(50%)	15%
KMA Enterprises		(50%)	15%
Rhoda Reuter	Owner	((100%))	15%

Name SARAH BRAUNIS	Title PRESIDENT	SSN/FEIN #####	Date of Birth #####	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 2323 MOCKINGBIRD LANE, YREKA, CA 98000			Phone (666) 666-1212	
Business Affiliated With (Parent business or sub-entity) DBF CASINO CORP.		Own. % in Business Affiliated With 50.0%	Effective Own. % in Applicant 50.0%	
Name DEWEY CHEATHAM	Title SHAREHOLDER	SSN/FEIN #####	Date of Birth #####	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 1616 COLFAX AVE., DENVER, CO 80222			Phone (303) 555-2222	
Business Affiliated With (Parent business or sub-entity) DBF CASINO CORP.		Own. % in Business Affiliated With 20.0%	Effective Own. % in Applicant 20.0%	
Name ELVIS GANZEMACHER	Title DIRECTOR	SSN/FEIN #####	Date of Birth #####	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 444 TROPICANA DR., LAS VEGAS, NV 89111			Phone (702) 555-4444	
Business Affiliated With (Parent business or sub-entity) DBF CASINO CORP.		Own. % in Business Affiliated With 0.0%	Effective Own. % in Applicant 0.0%	
Name TWF GAMING INC.	Title SHAREHOLDER	SSN/FEIN #####	Date of Birth	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 2700 BROADWAY NE, JAL, NM 87001			Phone (505) 555-7879	
Business Affiliated With (Parent business or sub-entity) DBF CASINO CORP.		Own. % in Business Affiliated With 30.0%	Effective Own. % in Applicant 30.0%	
Name MERVYN P. MERDSTONE	Title CEO	SSN/FEIN #####	Date of Birth #####	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 1313 BLUEVIEW TERRACE, ANTON CHICO, NM 87333			Phone (505) 555-1300	
Business Affiliated With (Parent business or sub-entity) TWF GAMING INC.		Own. % in Business Affiliated With 50.0%	Effective Own. % in Applicant 15.0%	
Name KMA ENTERPRISES	Title SHAREHOLDER	SSN/FEIN #####	Date of Birth	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 2709 CALLE WISTFUL VISTA, GALLINA, NM 87567			Phone (505) 555-2456	
Business Affiliated With (Parent business or sub-entity) TWF GAMING INC.		Own. % in Business Affiliated With 50.0%	Effective Own. % in Applicant 15.0%	
Name RHODA REUTER	Title OWNER	SSN/FEIN #####	Date of Birth #####	App Submitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Address (city, state, zip) 4700 WEST 59TH ST, PIE TOWN, NM 87876			Phone (505) 555-1616	
Business Affiliated With (Parent business or sub-entity) KMA ENTERPRISES		Own. % in Business Affiliated With 100.0%	Effective Own. % in Applicant 15.0%	