BATAVIA DOWNS GAMING
"Nov Lottery 2nd Chance Drawings"
FPAF 18-11-09
Official Rules

1. **Eligibility**: This contest is open to all active members of the Batavia Downs Gaming Players Club, who are 18 years or older, and abide by the rules and regulations of the Players Club. Individuals who have been excluded from the Gaming (voluntarily or involuntarily) are not eligible to win any prizes. Employees of Western Regional OTB, Batavia Downs Gaming and its subsidiaries and affiliates are ineligible to participate. Persons who are employed by the NY State Gaming Commission and any immediate family members residing in the same household of any of the foregoing individuals are also ineligible to participate in the program. Employees of any other New York VLG facilities, who hold a key license, and any immediate family members residing in the same household, are also ineligible to participate in the program. People licensed as on-the-grounds employees, and vendors directly associated with this contest, their subsidiaries, affiliates and agencies are ineligible to participate in the program. Any licensee, registrant, contractor, subcontractor, or consultant, or officer, or employee of a contractor, subcontractor, licensee, registrant or consultant, if such person is directly involved in the operation of video lottery gaming, the operation or observation of video lottery gaming or drawings, or the processing of video lottery gaming prize claims or payments is ineligible to participate in the program. All federal, state and local rules and regulations apply. Void where prohibited or restricted by law. By entering this contest, entrants agree to abide by all terms of these official rules. Players may only be awarded one "like" prize per drawing date. (I.E. if a player is awarded a $500 Cash prize they are eligible for any other drawings that night except for another, separate $500 Cash Prize).

2. **Sponsor:** (as defined below), Western Regional OTB, Batavia Downs Gaming, their respective affiliates, subsidiaries, parent corporations, and their respective officers, directors, shareholders, employees and agents are not responsible for any incorrect or inaccurate entry information; human error; technical malfunctions; failures, omission, interruption, deletion, or defect of any telephone network, computer on-line system, computer equipment, servers, providers, software or satellite transmission, including any injury or damage to participant or any other person relating to or resulting from participation in this program; theft, tampering, destruction, or unauthorized access to, or alteration of applications, data processing that is processed late or incorrectly or is incomplete or lost due to computer or electronic malfunction; printing or other errors; or any combination thereof. This also includes any malfunction with respect to a Player's Club card. All entries become the property of the Sponsor and will not be returned. False and/or deceptive entries or acts shall render entrants ineligible.

3. **Contest Period:** Redeem Non-Winning $5 "Bonus 7" tickets during normal Player's Club Hours 8am-11pm from October 28 – November 3, 2018. Drawings are on Saturday, November 3, 2018 at 2pm. *A second 2nd Chance drawing will occur on November 24, 2018. Redeem Non-Winning $3 "Wild Cherries" tickets during normal Player's Club Hours 8am-11pm from November 18 – November 24, 2018. Drawings are on Saturday, November 24, 2018 at 2pm.

4. **Rules:** If a present winner cannot produce ID, the following protocol shall be followed: For all Drawings $999 or less the Batavia Downs staff present shall take down the possible winner's driver's license number found in the Player Tracking System. At <u>any time</u> within 24 hours, the possible winner must return, WITH the driver's license that matches the driver's license number that was logged the day previous and the prize will be awarded. If the person fails to show, the prize is forfeited. For all drawings $1000 or more, the staff present shall take down the possible winner's driver's license number found in the Player Tracking System. The possible winner must designate a 1 hour window within the following 24 hours of the drawing time to return to claim their prize by presenting the driver's license that matches the driver's license number that was logged the day previous. If the person fails to show, the prize is forfeited. .

5. **Method of Entry:** Patrons will earn (1) entry for each non-winning $5 "Bonus 7" and $3 "Wild Cherries" New York Lottery ticket shown at Players' Club. Limit 50 total tickets per person, per week. Contestants will show ticket at Player's Club and Player's Club Staff will stamp the ticket with permanent marker so that the ticket cannot be resubmitted for another entry. Hard Entry Slip will be printed at Player's Club and placed into drawing bin. At times specified above for prizes below the two winners will be drawn from drawing bin at Player's Club. Winners do NOT NEED to be present to win prizes. Winners will be notified via information in their account that they have won prize. Winners have 1 week to pick up prizes at Player's Club or their prize is forfeited. Players may only win one (1) 2nd Chance $100 FP Drawing, Per Day. A player that wins a $100 FP drawing may also win the final $250 FP Drawing.

   Promotional drawings are executed using the highest standards of integrity.

6. **Prizes:** First 2 names drawn: First Winner receives $100 Free Play, 2nd winner receives $250 Free Play
   Total Prizes value: $350 Free Play, per drawing.

7. **Prize Acceptance:** By accepting their prize, winner acknowledges any and all restrictions, expiration dates and liabilities. Winners may be required to complete, execute and return and Affidavit of Eligibility/Release of Liability and (except where prohibited) a Publicity Release and a completed IRS W-9 form within 14 days of issuance. Failure to return all required documents in this time period might result in the winner being disqualified or an alternate winner selected. No substitution for a prize by the winner will be permitted unless otherwise stated in the official rules. If necessary due to unavailability, a prize of equal or greater value will be awarded at the discretion of the Sponsor. Prizes are not transferable, assignable or redeemable for cash, unless otherwise stated. The winner's entry and acceptance of any prize constitutes permission for the Sponsor to use said winner's name, photograph, likeness, statements, biographical information, voice and address (city and state), in all forms of media, in perpetuity, without notice or further compensation.

8. **Terms and Conditions:** This sweepstakes is subject to all applicable federal, state and local laws. By participating, entrants agree to be bound by these Official Rules and the decisions of the Sweepstakes Administrator, and waive any right to claim ambiguity in the sweepstakes or these Official Rules. Winners and entrants also agree to release, discharge, indemnify and hold harmless the Sponsor, vendors associated with this sweepstakes, New York Lottery and the respective officers and employees of these entities, from and against any claims, damages or liability due to any injuries, damages or losses to any person (including death) or property of any kind resulting in whole or in part, directly or indirectly, from acceptance, possession, use or misuse of any prize, or participation in this sweepstakes. Any person attempting to defraud or in any way tamper with the sweepstakes mechanics and/or implementation will be declared ineligible and may be prosecuted to the full extent of the law. Batavia Downs reserves the right to make changes in the rules of this contest. If any rule should be declared invalid or unenforceable, the remainder of these rules shall not be affected.

9. **Winner Information:** For name and city of residence of winners, send a SASE (by 11/30/18) to: Batavia Downs Gaming "November 3 and 24th Second Chance Drawing", Attn: Marketing, Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020.

10. **Sponsor:** Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020.

11. **Sweepstakes Administrator:** Batavia Downs Gaming is responsible for overseeing the awarding of all prizes, and whose decisions will be considered final in regard to all matters related to this promotion. All rules are subject to change with or without prior written notice. Management of Batavia Downs Gaming reserves all rights.