BATAVIA DOWNS GAMING
"Tiered Rewards/Dinners"
FPAF 26-10-06
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. People 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 facility, and any immediate family members residing in the same household, are also ineligible to participate in the program. People licensed as on-the-ground employees, and vendors directly associated with this contest, their subsidiaries, affiliates, and agencies are ineligible to participate in the program. Any employee of sponsors and affiliates of the drawing prize and their immediate family members who live in the same household will be ineligible to win the drawing. Any licensee, registrant, contractor, subcontractor, 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. Voids where prohibited or restricted by law. By entering this contest, entrants agree to abide by all the 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 the entrant's ineligible. Batavia Downs Staff will announce winners over PA system. It is the responsibility of eligible entrants to be in an area where the winner's names can be heard over the PA system.

3. **Check in Period: On designated dates each month: See postcards for details.**
    a. **Birthday:** Onyx Only – any day within the month of October 2026 at Player's Club.
    b. **Pearl:** Can be redeemed once a month within the month of October 2026 at the kiosk.
    c. **Sapphire**: Can be redeemed twice per month for free play (not on the same day), and once for the meal, October 2026 at the kiosk. Sunday-Thursday.
    d. **Onyx:** Can be redeemed twice per month for free play, and twice a month for meal on any day in the month of October 2026 at the kiosk.
    e. **Presidents Club:** Can be redeemed once per month, on any day in the month of October 2026 at Player's Club.
    f. Jackpot: Throughout the month of October 2026 reservations are required at Fortune's.

4. **Drawing Rules (if applicable):** 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 any time within 24 hours, the possible winner must return, WITH the driver's license that matches the driver's license number that was logged on 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:**
Customers can only redeem the tier prize in which they qualified and will remain in that tier until the next qualification period. No manual upgrades, no combining of tiers, and one promotion per person, per promotional period. Please note, points earned utilizing free play will not count toward base point total for tiers.
The top persons that are Onyx tier who have a birthday in the month will be eligible for the Birthday dinner any day within their birthday month.
Persons with over $125,000 coin played (12,500 + base points) for the specified time will be designated as an "Onyx" level Player and eligible for Onyx only rewards based off rated carded play.
Persons with over $75,000 coin played (7,500-12,499 base points) for the specified time will be designated as a "Sapphire" level Player and eligible for Sapphire rewards only based off rated carded play.
Persons with over $35,000 coins played (3,500-7,499 base points) for the specified time will be designated as a "Pearl" level Player and eligible for Preferred rewards based off rated carded play.
Persons with $0-$34,999 coin played (0-3,499 base points) for the specified time will be designated as a "Select" level Player.

6. **Reward Distribution: Upon** presentation of Birthday, Onyx, President's Bonus, Sapphire, Pearl, or Jackpot invitation, Player's Club will give the member free play and/or a receipt for the meal. The person's name on the invite MUST be the person checking in for the meal/free play and/or gift. Reservations are recommended for Sapphire, President's Bonus, or Onyx dinner at Fortune's by player. **NO TAKEOUTS or TO GO ORDERS are allowed for any dinners.** All guests MUST be present to receive dinner. **FOOD REDEMPTION AT 34 RUSH ONLY AVAILABLE UNTIL 9pm.**
    a. If Player does not have designated postcard or letter, their name will be matched with a tier level indicated on their account that indicates them eligible to receive that month's invite (Free Play, Meal and/or gift) If the indication appears, they will receive the Free Play, Dinner and/or gift as if they had the invite. Promotional giveaways are executed using the highest standards of integrity.

7. **Prizes:** ***All free play expires at MIDNIGHT on 12-31-26 and will not be replaced.***
    - **Birthday:** A meal and $50 in free play for them and $25 for their guest.
    - **Pearl: $**30 in free play, can be redeemed once in the month of October 2026.
    - **Sapphire:** A meal once per month and $40 free play twice a month. It can only be redeemed once per day in the month of October 2026. {No guest free play}
    - **Onyx:** A meal and $90 free play for players twice a month. Free play and meals can be redeemed twice per month, in October 2026. {No guest free play.}
    - **President's Bonus:** A meal and $75 free play for them; a meal and $25 free play for their guest. Meals may be redeemed on one date within the month of October 2026.
    - **Jackpot:** Meal for them and a guest in the month of October 2026.

8. **Prize Acceptance:** By accepting their prize, the winner acknowledges any and all restrictions, expiration dates and liabilities. Winners may be required to complete, execute, and return an 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 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 in 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.

9. **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 to the rules of this contest, which will become effective upon announcement. If any rule should be declared invalid or unenforceable, the remainder of these rules shall not be affected.

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 regarding all matters related to this promotion. All rules are subject to change with or without prior written notice. The management of Batavia Downs Gaming reserves all rights.