

BEFORE THE NEBRASKA STATE RACING AND GAMING COMMISSION

IN RE:)
)
THE APPLICATION OF FONNER)
PARK FOR APPROVAL OF THE) ORDER
HISTORIC HORSE RACING)
PARI-MUTUEL FORM OF WAGERING)
AND THE PARIMAX MUTUEL)
WAGERING SYSTEM.)

On May 6, 2022, after providing public notice in full compliance with Nebraska law, this matter came before the Nebraska State Racing and Gaming Commission f/k/a the Nebraska State Racing Commission (hereinafter, the “Commission”) for consideration of the Commission’s prior July 31, 2019 vote as well as its December 4, 2019, Findings of Fact and Conclusions of Law and Final Order (hereinafter “Final Order”), both relating to the prior request of Hall County Livestock Improvement Association for approval of the Historic Horse Racing (hereinafter “HHR”) form of pari-mutuel wagering and the PariMAX Mutuel Wagering System. The Commission also considered the proposed Settlement and Release Agreement (hereinafter, the “Settlement Agreement”) with the Nebraska Attorney General’s office in the matter of *State of Nebraska ex rel. Douglas J. Peterson v. Dennis P. Lee, Janell Beveridge, Helen Abbott Feller, Jeffrey Galyen, Hall County Livestock Improvement Association d/b/a Fonner Park; PariMAX Holdings LLC, and AmTote International, Inc.*, Case No. CI 20-244 in the District Court of Lancaster County, Nebraska, a copy of which had been previously provided to all Commissioners.

Upon advice of counsel, and consistent with the terms of the Settlement Agreement, Chairman Lee motioned to vacate the Commission’s July 31, 2019 vote as well as its December 4, 2019 Final Order and to approve Chairman Lee’s authority to execute the Settlement Agreement. Chairman Lee’s motion was duly seconded. Discussion followed. All Commissioners in attendance; namely, Chairman Lee, Vice-Chair Beveridge, Commissioner Galyen, Commissioner Greckel, and Commissioner Fulton, voted in favor of the motion. None voted against.

WHEREFORE, being fully advised in the premises, the Commission approves the Settlement Agreement with the Nebraska Attorney General’s office, and authorizes Chairman Lee to execute said Settlement Agreement and this Order confirming the Commission’s vote to vacate the Nebraska Racing

Commission's July 31, 2019 vote and December 4, 2019 Final Order pertaining to the approval of HHR.

IT IS THEREFORE SO ORDERED, this 11 day of May, 2022.

NEBRASKA STATE RACING AND GAMING COMMISSION

By:



Dennis Lee, Chairman