



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
MICHIGAN GAMING CONTROL BOARD  
DETROIT

RICHARD S. KALM  
EXECUTIVE DIRECTOR

In the matter of:

HORSEMEN'S SIMULCAST  
PURSE POOL ACCOUNT

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TO: Michigan Horsemen's Benevolent and Protective Association (HBPA)  
Michigan Harness Horsemen's Association (MHHA)  
Great Lakes Quarter Horse Association (GLQHA)

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**HORSEMEN'S SIMULCAST PURSE POOL  
2010 DISTRIBUTION ORDER-REVISED**

**WHEREAS**, Sections 18(4) and (5)(b) of the Horse Racing Law of 1995, as amended, Public Act No. 279 of 1995 (hereafter "the act") require each race meeting licensee that receives an interstate and/or intertrack simulcast to pay to the Horsemen's Simulcast Purse Pool, established under Section 19 of the act, a certain portion of the licensee's net commission from all money wagered on such simulcasts; and

**WHEREAS**, Section 19(1)(a)(b) of the act requires that all money designated by the act to be paid into the Horsemen's Simulcast Purse Pool, established there under, shall be deposited in a depository designated by all participating certified horsemen's organizations and distributed by their designated escrow agent to the purse pools of the respective race meeting licensees, pursuant to statutory formulas set forth in Section 19(1)(a)(b) of the act; and

**WHEREAS**, the Executive Director of the Michigan Gaming Control Board has been advised by all current participating certified horsemen's organizations, namely, the Michigan Horsemen's Benevolent and Protective Association (HBPA), the Michigan Harness Horsemen's Association (MHHA), and the Great Lakes Quarter Horse Association (GLQHA), that they have designated National City Bank, now part of PNC, as their depository and escrow agent for the Horsemen's Simulcast Purse Pool established under Section 19 of the act; and

**WHEREAS**, Section 19(1)(a) requires that National City Bank, as designated depository and escrow agent for the Horsemen's Simulcast Purse Pool, shall divide and distribute fifty (50) percent of the Horsemen's Simulcast Purse Pool funds generated in 2010 from wagering on thoroughbred (running horse flat racing) simulcasts and thirty-five (35) percent of the Horsemen's Simulcast Purse Pool funds generated in 2010 from wagering on standardbred simulcasts between the purse pools of 2010 thoroughbred (running horse flat racing) race meeting licensees on a pro rata basis based upon the percentage of the state's total thoroughbred (running horse flat racing) handle, from all sources, produced by each of the respective

thoroughbred (running horse flat racing) race meeting licensees during the previous calendar year; and

**WHEREAS**, Section 19(1)(b) requires that National City Bank, as designated depository and escrow agent for the Horsemen's Simulcast Purse Pool, shall divide and distribute fifty (50) percent of the Horsemen's Simulcast Purse Pool funds generated in 2010 from wagering on thoroughbred (running horse flat racing) simulcasts and sixty-five (65) percent of the Horsemen's Simulcast Purse Pool funds generated in 2010 from wagering on standardbred simulcasts between the purse pools of 2010 standardbred race meeting licensees on a pro rata basis based upon the percentage of the state's total standardbred handle, from all sources, produced by each of the respective standardbred race meeting licensees during the previous calendar year; and

**WHEREAS**, on June 6, 2001, a Declaratory Ruling was issued with a hearing record concerning all Annual Simulcast Distribution Orders; and

**WHEREAS**, the Executive Director of the Michigan Gaming Control Board has calculated the percentage of total thoroughbred (running horse flat racing) handle, from all sources, in 2009 produced by each 2009 thoroughbred race meeting licensee; and

**WHEREAS**, the Executive Director of the Michigan Gaming Control Board has calculated the percentage of total standardbred handle, from all sources, in 2009 produced by each 2009 standardbred race meeting licensee;

**NOW THEREFORE,**

1. **IT IS ORDERED** that, effective January 1, 2010, the Michigan Horsemen's Benevolent and Protective Association (HBPA) and the Great Lakes Quarter Horse Association (GLQHA) shall authorize and direct National City Bank to divide and distribute funds from the thoroughbred (running horse flat racing) pool of funds on deposit in the Horsemen's Simulcast Purse Pool Account to the respective purse pool accounts of the following 2010 thoroughbred (running horse flat racing) race meeting licensees by wire transfer(s), pursuant to the requirements of Section 19(1)(a) of the act and in accordance with the following pro rata share for each licensee, based upon the percentage of total thoroughbred (running horse flat racing) handle, from all sources, produced by the licensee in calendar year 2009:

|  |           |
|--|-----------|
| Pinnacle Race Course<br>(Post-It Stables, Inc.)            | 92.06311% |
| Mount Pleasant Meadows<br>(Oil Capital Race Venture, Inc.) | 7.93689%  |

Subject to the amount available in the thoroughbred pool of funds, the HBPA and GLQHA shall direct National City Bank to make the foregoing required transfer(s), in such amounts and at such time(s), so as to ensure that there are sufficient funds on deposit in the purse pool account of each licensee, with whom the association has a current horsemen's contract, to fully pay the licensee's purse schedule during the live portion of its 2010 race meeting.

If the purse pool account of any licensee, with whom the association has a current horsemen's contract, is overpaid at any time during the licensee's 2010 race meeting, then upon notification of the overpayment, the contracting horsemen's organization at the race meeting shall authorize and direct National City Bank to immediately transfer sufficient available funds to the licensee's purse pool account and, if necessary, continue making such transfers every five (5) business days thereafter, until the licensee is fully reimbursed for the overpayment.

2. **IT IS FURTHER ORDERED** that, effective January 1, 2010, the Michigan Harness Horsemen's Association (MHHA) shall authorize and direct National City Bank to divide and distribute funds from the standardbred pool of funds on deposit in the Horsemen's Simulcast Purse Pool to the respective purse pool accounts of the following 2010 standardbred race meeting licensees by wire transfer(s), pursuant to the requirements of Section 19(1)(b) of the act and in accordance with the following pro rata share for each licensee, based upon the percentage of total standardbred handle, from all sources, produced by the licensee in calendar year 2009.

|  |           |
|--|-----------|
| Northville Downs   | 22.04588% |
| Sports Creek Raceway<br>(Sports Creek Acquisitions, Inc.)            | 14.49571% |
| Hazel Park Harness Raceway<br>(Hazel Park Racing Associations, Inc.) | 51.63686% |
| Northville Racing Corporation  | 11.82155% |

Subject to the amount available in the standardbred pool of funds, the MHHA shall direct National City Bank to make the foregoing required transfer(s), in such amount(s) and at such time(s), so as to ensure that there are sufficient funds on deposit in the purse pool account of each licensee, with whom the association has a current horsemen's contract, to fully pay the licensee's purse schedule during the live portion of its 2010 race meeting.

If the purse pool account of any licensee, with whom the association has a current horsemen's contract, is overpaid at any time during the licensee's 2010 race meeting, then upon notification of the overpayment, the contracting horsemen's organization at the race meeting shall authorize and direct National City Bank to immediately transfer sufficient available funds to the licensee's purse pool account and, if necessary, continue making such transfers every five (5) business days thereafter, until the licensee is fully reimbursed for the overpayment.

3. **IT IS FURTHER ORDERED** that the HBPA, MHHA, and GLQHA shall at their own expense provide each 2010 race meeting licensee and the Michigan Gaming Control Board with either continuous computer on-line account summaries or written monthly statements from National City Bank listing all transfers that have been made to and from the Horsemen's Simulcast Purse Pool

accounts. Such account summaries or statements shall include the following information:

- (a) the name of each depositor
- (b) the date and amount of each deposit
- (c) the date and amount of each transfer

4. **IT IS FURTHER ORDERED** that, effective January 1, 2010, pursuant to Rule 431.2061, the HBPA and GLQHA shall receive from the 1.5 percent of deposits to the horsemen's simulcast purse pool for thoroughbred (running horse flat racing) certified horsemen's organizations, the following amount to use for general expenses:

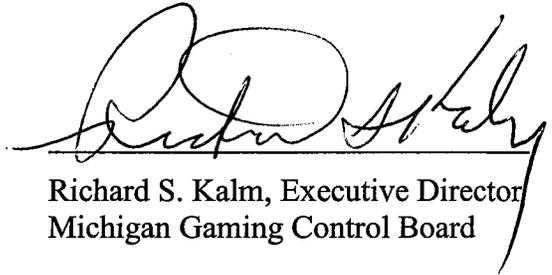
|  |                           |
|--|---------------------------|
| Horsemen's Benevolent and Protective Association | 1.3809% of total deposits |
| Great Lakes Quarter Horse Association            | 0.1191% of total deposits |

5. **IT IS FURTHER ORDERED** that, effective January 1, 2010, pursuant to Rule 431.2061, the MHHA shall receive from the 1.5 percent of deposits to the horsemen's simulcast purse pool for standardbred certified horsemen's organizations, the following amount to use for general expenses:

Michigan Harness Horsemen's Association 1.5 % of total deposits

IT IS SO ORDERED.

Dated: March 25, 2010



Richard S. Kalm, Executive Director  
Michigan Gaming Control Board