

New England Horsemen's Benevolent and Protective Association, Inc.

President
Anthony Spadea

A National Organization

Acting Executive Director
Bruce P. Patten

Directors: Owners
Randy Andrews
Susan Clark
Shirley Dullea
Manfred Roos
Paul Umbrello



Directors: Trainers
Jay Bernardini
Matthew Clarke
Alan Lockhart
Kevin McCarthy
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February 11, 2015

Attorney Catherine Blue, General Counsel, Massachusetts Gaming Commission
101 Federal Street 23rd Floor
Boston, MA 02110

Re: Request enforcement of licensees' obligations to pay 2015 simulcasting premiums

Dear Attorney Blue:

On behalf of the New England HBPA Board of directors and the owners and trainers of thoroughbred horses racing in Massachusetts, we are hereby requesting that the Gaming Commission take action, as authorized under MGL 23K § 7 (a) to: (a) enforce payment of simulcast premiums, earned in 2015, with respect to any interstate running horse simulcasts received, as required under MGL c128C § 2, and account wagering proceeds, earned in 2015, as required under MGL c128A § 5C; and (b) assure that the appropriate share of 2015 simulcasting premiums and account wagering proceeds received by a running horse racing meeting licensee shall be paid into the purse account of the horsemen, as per MGL c128C § 2.

Either the NEHBPA or its pending successor racing licensee, the New England Horsemen's Agricultural and Racing Corporation will establish a purse account during the month of February to receive premiums with respect to any running horse simulcasts and to receive proceeds with respect to any running horse account wagering conducted in Massachusetts.

As you are aware, MGL c128C § 4 requires: "If a new running horse racing meeting licensee should replace the existing running horse meeting licensee during any point in a calendar year and a new contract is not agreed upon between the new running horse meeting licensee and the horseman's association before the start of the next racing season, then the last signed, executed and completed contract between the previous running horse racing meeting licensee and the horseman's association shall remain in effect for the racing season only or until a new contract is agreed upon."

Since the NEHBPA is the only recognized representative of running horse owners and trainers in the Commonwealth and the NEHBPA is the horseman's association representing the horse owners and trainers in the last signed, executed and completed contract between the previous running horse racing meeting licensee and the horseman's association, c128C § 4 establishes a 2015 contract between the NEHBPA and the new running horse meeting licensee(s).

Your immediate consideration and support for our request is of utmost importance to the horsemen, their efforts to preserve live Thoroughbred racing and associated jobs in the Commonwealth and the enormous positive financial, environmental and social impacts that live Thoroughbred racing provides for Massachusetts residents.

Due to current circumstances, we would like to discuss this matter with the Commission at the meeting on February 19th. Thank you for your consideration of this very important matter.

Sincerely,

Anthony Spadea, President

Cc: Stephen Crosby, Chairman, Massachusetts Gaming Commission
Gail Cameron, Commissioner, Massachusetts Gaming Commission
Dr. Jennifer Durenberger, Director of Racing, Massachusetts Gaming Commission