

BATAVIA DOWNS CASINO
“Harley Davidson Ticket 2nd Chance Drawing”
Official Rules

1. **Eligibility:** This contest is open to all active members of the Batavia Downs Casino Players Club, who are 18 years or older, and abide by the rules and regulations of the Players Club. Employees of Western Regional OTB, Batavia Downs Casino and its subsidiaries and affiliates are ineligible to participate. Persons who are licensed by the NY State Division of the Lottery, and any immediate family members residing in the same household of any of the foregoing individuals are also ineligible to participate in the program. People licensed by the NY State Racing & Wagering Board 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.
2. **Sponsor::** (as defined below), Western Regional OTB, Batavia Downs Casino, 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:** Earn Entries during Normal Player's Club Hours from February 22nd – 28th, 2010. Drawing on Feb 28th, 2010
4. **Method of Entry:** Patrons will earn (1) entry for each non-winning “Harley Davidson” New York Lottery ticket shown at Players' Club. Limit 10 entries per day. Contestants will show ticket at Player's Club and Player's Club Staff will mark 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 specified below winners will be drawn from drawing bin at Player's Club. Winner need not be present to win prizes. Winners will be notified via information in their account that they have won prize. Winners have 1 month to pick up prizes at Player's Club or their prize is forfeited.
5. **Prizes:** 6, 6:30, 7, 7:30pm winners receive \$100 Free Play and \$50 Gift Card to Stan's Harley Davidson, 8pm winner gets \$250 Free Play, and \$100 Gift Card to Stan's Harley Davidson.
6. **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.

7. **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, 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.
8. **Winner Information:** For name and city of residence of Hot Seat Winners ONLY, send a SASE (by 2/28/10) to: Batavia Downs Casino "Harley Davidson 2nd Chance Drawing", Attn: Marketing, Batavia Downs Casino, 8315 Park Road, Batavia, New York 14020.
9. **Sponsor:** Batavia Downs Casino, 8315 Park Road, Batavia, New York 14020.
10. **Sweepstakes Administrator:** Batavia Downs Casino 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 Casino reserves all rights.