

BATAVIA DOWNS CASINO
“Spielo Mardi Gras Virtual Drawings”
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. Batavia Downs Staff will announce winners over PA system. It is the responsibility of eligible entrants to be in an area where winner’s names can be heard over PA system.

3. **Contest Period: Virtual Drawing:** Earn Entries: 10am until 10pm on February 16th ONLY. Free Play Drawing at 10pm.

4. **Method of Entry: Virtual Drawings:** Customers playing at any BDC machine with their Player’s Club Card during specified promotional times will earn virtual entries into draws. Patrons will earn (1) entry for every \$25 of coin played. No limit on entries. To activate entries, players must use their BDC Players Club card in ANY machine on day of the drawing. Activation may take place up until time of drawing. The winner will have 5 minutes to report to the Player’s Club to claim their prize. If they don’t arrive within 5 minutes another name will be chosen until a winner is found. Winner MUST BE PRESENT TO WIN.

To be eligible, all winners must have played a Spielo Game

5. **Prizes:** A winner will receive \$1000 Spielo Free Play

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 winner, send a SASE (by 2/28/10) to: Batavia Downs Casino "Spielo Mardi Gras Progressive Virtual 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.