VIRGINIA RACING COMMISSION

MAY 19, 2014

10700 Horsemen's Road
New Kent, VA  23124
Commencing at 10:00 a.m.

COMMISSION MEMBERS:
J. Sargeant Reynolds, Jr., Chairman
D. G. VanClief, Jr., Vice Chairman
Carol G. Dawson (present via telephone)
Stran Trout
I. Clinton Miller

COMMISSION STAFF:
Bernard J. Hettel, Executive Secretary
David S. Lermond, Jr., Deputy Executive Secretary
Kimberly C. Mackey, Office Administrator
C. Richard Harden, DVM, Equine Medical Director
Courtney Reid, Permitting Clerk

ATTORNEY GENERAL'S OFFICE
Joshua Laws, Assistant Attorney General

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NOTE: The Commission meeting begins at 10:05 a.m. as follows:

MR. REYNOLDS: Good morning. I will now call the Commission meeting to order, and with that, the first order of business is to approve the minutes from May 7th. The minutes are in your book.

Are there any additions, comments, or corrections?

MR. TROUT: Mr. Chairman, I move the minutes be approved.

MR. REYNOLDS: Do I hear a second?

MR. VAN CLIEF: Second.

MR. REYNOLDS: All those in favor say aye.

NOTE: All indicated in the affirmative.

MR. REYNOLDS: Oh, hi, Carol.

MS. DAWSON: Hi.

MR. REYNOLDS: I didn't know you were there.

Great. Welcome.

The next order of business is Commissioner's Comments. Do any of the Commissioners have any comments at this time?

MR. TROUT: No.

MR. REYNOLDS: I don't have any comments now. I may have some more a little bit later.

Do we have any committee reports?

MR. LERMOND: No.
MR. REYNOLDS: Okay. Mr. Hettel, Executive Secretary's report?

MR. HETTEL: Mr. Chairman, we meet today for the continuing impasse on the 2014 dates, and what we'd like to do this morning is ask both Frank Petramalo from HPBA and Ian Stewart to give us an update report on the progress or discussion to end the impasse on the schedule for racing for 2014. I think it would be good if we call on Mr. Petramalo first.

MR. PETRAMALO: Age before beauty? Is that the --

MR. HETTEL: Wisdom before more wisdom.

MR. PETRAMALO: At the last Commission meeting, the Commission unanimously reconfirmed its December award of five weeks with 25 days of racing and directed the parties to come back today with a contract to implement that.

We have not yet reached a contract. We may be close, but I think I can give you the outline of what we're talking about.

We think it probably makes sense to spread out the racing over a longer period than five weeks. The horsemen have proposed starting on July 4th and going through Labor Day weekend, September 1st, with a program of three weekend days per week, Friday, Saturday, and Sunday. We would skip the two weeks in August where there's a rodeo here and motorcycle racing. It would strictly be a ship-in
meet. The back stretch would not be open for permanent
stake people who would come that way.

Anyway, that's what we're talking about. We
don't have any final agreement. My hope is -- we've been --
excuse me -- discussing it over the weekend, and my hope is
with a little more time, perhaps we can today reach an
agreement generally on principles if not a completed con-
tract.

MR. REYNOLDS: Okay. Thank you.

Ian or Jim?

MR. STEWART: As to the contract, as
Frank says
we haven't reached an agreement. It's very difficult to say
how close we are to an agreement.

The issue I wanted to put on the table is there's
been some rumors of a license revocation hearing pending if
we don't reach an agreement, and I was wondering if the VRC
would comment on that?

MR. REYNOLDS: Yes, I will comment on that.

You know, while license revocation is always
an option by the VRC, it's not an option that we would want
to take. Speaking for myself only, I would only seek to re-
voke a license if I thought one party was in violation and
not the other party. Right now -- we will always probably
keep that option on the table, but right now I feel like
both parties are at fault in all of this for not reaching an
agreement, and therefore, right now I'm not looking to take anybody's license away.

I would never make a threat to take somebody's license away unless I was willing to go through with it. So if we took your license, then we don't have a racetrack, and then I have to ask myself who's going to come in and run the racetrack? So while it is an option for the Commission to consider, it's not a good option, and at this point, you know, I don't want to talk about revoking anybody's license.

I feel like -- this weekend, I've been in touch with both parties, I feel like you-all are as close as you all have been, and I hope today that you-all can finally get over the final hurdle and get something done. So that's my answer to that question.

Do you want to continue?

MR. STEWART: That's all I have to say this morning.

MR. REYNOLDS: Okay. All right.

Well, I was hopeful that -- this Commission was hopeful that today is the day we wanted you-all to bring us a contract. It doesn't sound like you're there yet. I like to feel like you-all are close, and therefore, even though we mandated last week to five weeks, 25 days, I do understand the need at this late date to maybe amend that schedule. It sounds like you-all may have an agreement on this
year's summer schedule, but the larger issue is a longer term contract and how you-all are going to move forward together.

In that light, what I'm probably going to -- well, what I'll seek a motion to do is -- and I'm not going to do it yet, but I will seek a motion to put the meeting into recess until 1:00 o'clock today and then you-all can go meet and talk about the remaining issues and try to iron those out.

Before I do that, I'm going to ask if the other Commissioners have any questions or comments that they would like to make before I invite the public to come speak?

MR. TROUT: Nothing major, but I would like to see an agreement made. I'd like to see racing continue here. There are no -- I think we're dealing with the parties we're dealing with right now, and the two organizations, that is the Track and the Horsemen's Association, are the key parties that need to come together and come up with something that's going to benefit horseracing in Virginia and certainly keep some racing going. So we're with you; we're trying to do what we can to make that work, and I think that if there's a decent chance -- and it sounds like there is -- let's take a recess and come back later and give you a chance to get together even more today, then that would be a good idea. The more we put it off, the harder
MR. MILLER: Could I just --

MR. REYNOLDS: Yes, sir.

MR. MILLER: Correct my impression if it's wrong. The impression I get from the news reports and press releases is that the real hang-up isn't over race days, nor is it over the time period within which to work the race days, but it's a hang-up over a civil claim that the parties or one party has possibly against the other for failure to enter into a contract on a timely basis. Is that not correct?

MR. WEINBERG: Commissioner, I don't think we've ever talked about it in terms of a civil claim of one party against the other. I think there has been discussion about resource allocation, resources that were lost as a consequence of the SWF's shutting down and lost revenue, but never in terms of the track looking to sue a party to a claim, but always in the context of a negotiation.

MR. MILLER: But that is a civil claim outside the parameters of what would normally be a contract between the track and the horsemen, isn't it?

MR. WEINBERG: Candidly, I haven't evaluated the merits of that claim. I can't really respond to you whether it's a meritorious claim.

MR. MILLER: You say it's the assertion of lost
revenues, but to me, that is a possibility of a civil claim
for damages for failure to enter into a contract on a timely
basis or to enter into a contract at all. So that's the
hang-up, isn't it? It has a lot less to do with race days
and a lot less to do with the period of time within which to
run the races.

MR. STEWART: I wouldn't characterize it that
way. I think the major hang-up is more in terms of a long
term agreement that will prevent this type of thing from
happening, and that's what needs to be resolved.

I'm not discounting the issue that you've raised,
but I don't think that is the paramount issue.

MR. MILLER: All right. Thank you.

MR. REYNOLDS: Mr. Van Clief, do you have
anything?

MR. VAN CLIEF: Yes, I'd just like to comment as
a follow-up to the Chairman's response to Colonial Downs on
their question with regards to license revocation. Just
some personal thoughts on this, speaking only as an individ-
ual Commissioner.

It seems to me that as has just been said that
the argument is not about the format at this point with
regards to race days, but there's some issues with regards
to some security for Colonial Downs that they won't be put
in this position in the future. On the other hand, the HBPA
wants to reserve their rights to strike, if you will, in the future. We understand both sides.

I agree with the Chairman that both parties are at fault. I also would like to reiterate that I think if we do not have some agreement going forward, the position Virginia racing finds itself in today is going to be much more dire in a few weeks.

We do have, as a Commission obviously, the ability to sanction the racetrack and to commence license revocation procedures. I would also point out that we also have -- and this has been an issue of some contention and friction between the groups -- we also have the ability to recognize a horsemen's group.

I would simply say at this point I think we're close. I would like to see very much, and I think we will direct the parties to go back to the bargaining table post-haste, and I would like to see us as a Commission do whatever we can to hold both parties accountable to the process and a favorable outcome for our sport and our industry.

MR. REYNOLDS: Thank you. I concur with those comments.

Before I make my motion, the public is certainly welcome to stick around until 1:00 o'clock when we reconvene, but for those that are busy that don't want to stick around, I'd like to give you-all an opportunity to make
public comments at this point.

Yes, sir?

MR. LEONARD: Do you mind if I walk up here?

MR. REYNOLDS: Please.

MR. LEONARD: Thank you.

MR. REYNOLDS: State your name, please.

MR. LEONARD: Yes, Steve Leonard, L-E-O-N-A-R-D.

I've been in love with horse racing ever since I was eight years-old when our parents took us to Charles Town. Actually, we didn't go to see Charles Town, we went to see Harper's Ferry because of the Civil War.

I've been in love with it forever. I've even worked a summer here doing the barnyards. I loved it, and it was just kind of like Steve Leonard's summer vacation. I was here every morning 4:30, 5:00 o'clock; I love it.

Just one thing -- we could argue about six days or 25 days and all of that -- sorry, I'm a little nervous -- but I think what sums it up is what Jeff Jacobs said. He says -- I'm not exactly quoting him, but if we go dark, we can come back in two or three years and be better than ever. That's like me having a radio station on the air for ten years, going off the air and calling my people in and saying, hey, look, I've got a great idea, let's go off the air for three years and we'll come back better than ever. So all the marketing, all the promotions -- all that goes right
out the window. I don't think anybody in this room believes
that we're going to be gone for three years and we're going
to come back.

I don't mean to be harsh, but if Jeff Jacobs
doesn't want to run the track, then by golly, get Churchill
Downs or Penn National or somebody in here who wants to.

Thank you for your time.

MR. REYNOLDS: Thank you.

Yes, ma'am?

MS. BOWLIN: My name is Darlene Bowlin.

I was at a previous meeting and I did not speak;
there were plenty of other people speaking, and I'm a small
person, I'm a breeder and I've been doing it for like ten
years. I've got my fourth Virginia-bred; she's about a
month old now, and you know, people who love horses love the
fact that they can come here and watch horseracing, and it's
a big part of our heritage. You know, Secretariat came from
Virginia, and it's a beautiful track, and you know, I would
hate to see anything happen to it, and I know I come here
speaking -- they have Colonial Downs, you know, I'm just one
person, but I represent a lot of people, and you know, I
know horseracing enough to know that five weeks is not long
enough to get, you know, enough races. It costs a lot of
money to train our horses and race them, and we would like
to at least get a couple of races. If you try to run them
too much, you're jeopardizing the horses's soundness and
everything else. So a longer racing period is definitely
something that we need, definitely.

So I agree with the longer race days, fewer days
per week I think is a very good idea and very representative
of what we need.

So I just wanted to speak my mind. I hope that
we can all come to some kind of agreement to preserve the
heritage here and keep this track going. So thank you, very
much.

MR. REYNOLDS: Thank you.

Anybody else like to make a comment? Yes, sir?

MR. KUHN: My name is Chris Kuhn, and I first of
all wanted to make sure that we understand as horsemen not
to blame management for whatever happens. Management at
Colonial Downs has been exceptional over the past years.
We've not had any problems; in fact, they've been great.
As far as the horsemen are concerned, as far as the front
side, these people were all very professional. They have
done their job as well as they could.

We are -- this is a business deal, as I've said
before. But we as horsemen have to understand that just
like they have to understand, obviously everybody's liveli-
hoods are at stake. Mr. Jacobs doesn't want to lose any
more money. Got it. HBPA doesn't want to lose any more
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money.

We keep moving the target. You know, Mr. Jacobs first said, well, we can't make any money because it costs too much to run the track per day. Well, that's been blown out of the water. Now it's, well, we want our money back because there's no, you know, because we've lost racing due to contracts. If I'm not mistaken, the contract is if there is no racing, there is no off-track betting, is that correct?

MR. REYNOLDS: That is correct.

MR. KUHN: So that's a contractual thing. They make it sound like it's the fault of the Commission and it's the fault of HBPA that we do not have a deal. That's not so.

If Mr. Jacobs is losing so much money, I think his best shot is to think about a sale. Of course, he's been trying to sell it.

My position is why doesn't HBPA get it together and try to get ownership of the track? I'm from Michigan. McCloud Steel was going bankrupt. It was bought out by the employees. United Airlines, the same thing. It was bought out by the employees. If that's the case, there's all sorts of deals people want to make if it's a good deal. Mr. Jacobs and Mr. Stewart know a good deal and they know a bad deal. If they want to get rid of the deal, then this is a
great opportunity for people to look at that.

Thank you, very much.

MR. REYNOLDS: Thank you.

Are there any other public comments?

NOTE: There was no response.

MR. MILLER: Before you make -- are you going to move that we go into recess?

MR. REYNOLDS: Yes, sir.

MR. MILLER: Well, since we're here and we have a quorum, I have some legal questions I have I need to get clarified with our counsel. So, can we use the time constructively then? Because these questions have to be answered eventually in this drama, so could we go into a closed session and use this time constructively before we come back here at 1:00 o'clock?

MR. LAWS: Yes, I can make a motion to go into closed session, but I need to know the topic so I can make a proper motion under FOIA.

MR. MILLER: Well, the topic is I want clarification of the definition under the Code of, number one, Virginia Horsemen's Group. Who is it? Who determines it? How is it constituted? Can you make one up? Could a hundred people from Emporia show up and say we're the Virginia Horsemen's Group? That's one.

Number two, the duties and responsibilities of the
licensee to carry forth the objectives of the Code, the very basis for which we have racing and pari-mutuel wagering in Virginia and what are the responsibilities of the licensee?

Number three, if the licensee fails to meet those responsibilities, what exactly are the powers of the Commission?

And the next question is an interpretation of that language in the Code relating to the contract formulation. It says it's up to the licensee and the horsemen's group to form a contract, but it's subject to Commission approval or disapproval or modification. What are the powers of the Commission relating to mandating a contract? I know it's anathema to a lot of people in legal circles that you give any kind of authority to mandate. Otherwise, independent parties could enter into a contract, but there are certain instances under the law where that can be done, and I want to know whether we have that authority.

MR. LAWS: I understand, and I can make a proper motion.

MR. REYNOLDS: Can we do that legally, go into closed session to discuss those subjects?

MR. LAWS: Yes.

MR. REYNOLDS: I don't know whether I recess -- we'll go into closed session and I want to recess at the same time.
MR. LAWS: I understand.

What I would do is make a motion to go into closed session until 1:00 o'clock, and then recess the Commission meeting as well until 1:00 o'clock. When we come back at 1:00, we'll make a motion to come out of closed session and we can resume Commission business at 1:00 o'clock.

MR. REYNOLDS: Okay. Why don't you make that motion?

MR. LAWS: All right.

Is there a motion for the Commission to go into closed session until 1:00 o'clock, under Virginia Code 2.2-3711(A)(7) to get advice and legal counsel concerning possible litigation or anticipated litigation and legal interpretation concerning the definition of recognized majority persons and the duties and responsibilities of the licensee under the Code; if the licensee fails to meet its responsibility, what are the Commission's powers to remedy that failure, and what are the powers of the Commission regarding a mandated contract between the licensee and the recognized majority horsemen's group? And in addition to that, we will also recess until 1:00 o'clock, at which point we'll come out of closed session and resume the normal duties of the Commission.

Do I have that motion?

MR. TROUT: So moved.
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MR. LAWS: Second?

MR. MILLER: Second.

MR. LAWS: All those in favor?

NOTE: All indicated by voting aye.

MR. LAWS: Any opposed?

NOTE: There was no response.

MR. LAWS: The motion carries.

MR. REYNOLDS: Okay. We'll see you-all at 1:00 o'clock.

My hope is that you-all will sit down and talk.

NOTE: The Commission stands in recess at 10:27 a.m. and is reconvened at 12:58 p.m. as follows:

MR. REYNOLDS: Close enough. Let's reconvene.

Mr. Laws?

MR. LAWS: Is there a motion on the table that states I hereby certify pursuant to Virginia Code Section 2.2-3712 that to the best of each member's knowledge, one, only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Commission in the meeting? Does anyone want to make that motion?

MR. TROUT: So moved.

MR. LAWS: Is there a second?
MR. MILLER: Second.

MR. LAWS: All those in favor?

NOTE: All indicated by voting aye.

MR. LAWS: Any opposed?

NOTE: There was no response.

MR. LAWS: The motion carries.

MR. REYNOLDS: We're back in session, and obviously, we spent several hours. Hopefully you-all went and had a discussion. Would you-all like to please update us on that discussion and let us know if you're any closer and where you are, please?

MR. PETRAMALO: I defer to my younger colleague.

MR. WEINBERG: We had a very productive discussion. We were able, I think, to clarify a number of issues. There are a few proposals that have economic consequences in the agreement that we're assessing and taking back to Mr. Jacobs. We have a call in to him; we missed him before he left his office. I expect we will speak with him this afternoon and be in a position to talk again to Frank and Stephanie either later this afternoon or first thing tomorrow morning.

MR. REYNOLDS: Do you feel -- you're not there, but do you feel you are closer than you were this morning by having this discussion?

MR. WEINBERG: We're closer than we were this
morning, but to be clear, there are a number of complicated
issues that we still need to work through. We worked
through a few of those this morning, but there are still
others to tackle.

MR. PETRAMALO: I don't share that view. I
don't think we're at least closer than where I thought we
were this morning.

MR. REYNOLDS: Okay, but you feel like -- you
thought you were closer this morning, but do you still feel
that if we gave you three more days that you-all could get
those things ironed out?

MR. PETRAMALO: Unclear.

MR. REYNOLDS: Okay. It sounds like you-all
obviously need some more time to work on this.

MR. PETRAMALO: Yes.

Jim, were you going to make some suggestions as to
the time?

MR. WEINBERG: I'd gotten as far as this afternoon
and tomorrow morning.

MR. PETRAMALO: No, in terms of the Commission
reconvening.

MR. WEINBERG: Yes, I think we were thinking that
it would be Thursday or early next week, depending upon what
the Commission's schedule was.

MR. REYNOLDS: Well, I think the Commission's
discussed it. Not all of us can be there, but I think it's important for us to do this sooner rather than later.

Quite frankly, I expected you-all to have an agreement this morning. I knew you-all were close. Obviously, there's some very complicated issues left. You know, we certainly want to give you-all the time to get those straightened out, and I really expect and hope that you-all will do it by Thursday. I'd like to have another Commission meeting on Thursday at 10:00 o'clock.

Josh, Mr. Laws, can we do that? How does that work without the public notice? Can we call for a special meeting?

MR. LAWS: Correct. Under Virginia Code 2.2-3707(D), the Commission can convene a special meeting as long as notice is given contemporaneously by the Executive Secretary of the Commission to the public and to the members of the Commission. So if the Executive Secretary or a member of the Commission's staff issues a notice today that says there will be a special meeting on Thursday, and the only purpose of the special meeting is to address the contract issue, not to approve minutes or to do any other official act, we can have a meeting on Thursday.

MR. REYNOLDS: Okay. Mr. Hettel, will you get that notice out today?

MR. HETTEL: I will indeed.
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MR. PETRAMALO: Mr. Chairman, may I suggest that the Commission set that as a drop-dead date for production of the final contract if one is to be forthcoming? I mean we've had deadlines for God knows how long. We're getting too far into the season, and what I would suggest is that that be the drop-dead date: Either we come with a contract on Thursday, or there is no contract and at that point, you direct Colonial Downs to tell you within the next few days when they are going to run the five weeks, 25 days that you ordered in December and reconfirmed at your May 7th meeting?

MR. REYNOLDS: Okay. I thought maybe today was the drop-dead date, but it sounded like you-all were getting so close, I did not want to cut off my nose to spite my face.

I'll take that under advisement, but I do think that if we don't get anything done by Thursday or very, very shortly, whether I have a drop-dead date or not, it's just -- racing for 2014 is looking pretty bleak, and if we don't have 2014 racing, I think the future of Virginia horseracing is very bleak, and we don't want to see that happen. So while I'd love to say we'll have a drop-dead date by Thursday, I'm going to need to take that under advisement because, again, we've been very, very patient so far, and if we're truly getting very close, I don't want to jeopardize
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that. But definitely at some point, there needs to be a
drop-dead date, but this Commission's goal and edict is to
have racing in 2014.

Would the Commissioners have anything to say
before we make a motion?

MR. TROUT: Mr. Chairman, just to say that I agree
with what the Chairman has said that this is -- I haven't
been here through the entire history of this organization,
but this is probably the longest anything has ever gone
without having anything set.

The future of racing certainly this year is at
stake. The future of horseracing in Virginia may well be at
stake. So I would certainly urge the parties to the con-
tract to produce a contract and to do what they can at the
earliest time, preferably to have that ready for our meeting
that, as soon as we move on it, that will be set up for this
coming Thursday. I encourage you to look at that.

As far as a drop-dead date is concerned, you
know your businesses as well or better actually than we do.
You know where the horses are lined up to go and when the
race dates have to be set, and I think that the handwriting
may be on the wall for some of these things. But we cer-
tainly need -- certainly, the future of racing in Virginia
is at stake and the future of racing in 2014 in particular.

MR. MILLER: Yes. Would it be of any help at all
or assist you -- if it won't be of any help, that's fine, but would it help any to have each of you, Frank, Jim, as you continue your negotiations, which I assume you're going to do for the next three days -- would it be any help for the process for you-all to explicitly set forth the exact points of disagreement, the things you just can't agree on, you know, what your position is, what your position is, and contact Mr. Hettel and run those points by him so he will at least know the basis of the problems that are keeping this contract from being entered into? And Mr. Hettel will use his expertise in whatever way he feels appropriate to try to assist you and/or at least keep the Commission informed about what these points are, because if they're so set in concrete, if they're so -- if you're at the point that it's impossible to reconcile those differences, it's a waste of everyone's time to come back here. It's a waste of everyone's time to worry about the process any further.

And the Commission may have to make a determination based on whatever information it has before it that it's impossible to enter a contract, and as the Chairman has said, racing won't take place -- thoroughbred racing won't take place in Virginia this year.

Would it be of any help tomorrow, the next day to enlist the services of Mr. Hettel to -- I mean I don't want to put him on the spot --
MR. HETTEL: Oh, no.

MR. MILLER: He has tremendous background and experience in this industry, and maybe he could give each of you some feedback, and he could give us some feedback and see if this is something that's possible that we can possibly do? Because if we can't possibly come to some reconciliation, then it's pointless to continue the discussions.

MR. PETRAMALO: I'm happy to do that.

MR. WEINBERG: I think for today it's a little premature to make that list.

MR. PETRAMALO: Oh, I agree on that, yes.

MR. WEINBERG: I think it may be helpful --

MR. MILLER: Tomorrow?

MR. WEINBERG: Right, because I can't tell you what's on --

MR. MILLER: Say Wednesday or whatever.

Mr. Hettel, I didn't clear this with you.

MR. HETTEL: That's fine. We can work together, whatever you care to do.

MR. MILLER: Thank you.

MR. REYNOLDS: Commissioner Dawson, do you have anything?

MS. DAWSON: No, I don't, but I do agree that time is of the essence.

MR. REYNOLDS: Mr. Van Clief?
MR. VAN CLIEF: My only observation is that I think that the licensee does have an obligation to conduct racing, that's why the license was issued; and so I think we should expect -- have every expectation that we will have a positive conclusion by the time we get back here on Thursday.

MR. REYNOLDS: Okay. Thank you.

There being no other comments, I'll entertain a motion to adjourn.

Yes, ma'am?

UNIDENTIFIED SPEAKER: Is there any -- are we going to establish any consequences? I feel like this is the exact same thing that's been said since December. We suggest, we require, we hope -- and there's not been any consequences to enforce this. I mean I don't see any difference in giving more time without something to back it.

MR. REYNOLDS: Our consequences that we can impose are very limited at this point. We talked earlier about maybe going after somebody's license, but we're not ready to do that yet because, like I stated earlier, when you go after somebody's license and you follow through with it and you've taken somebody's license, you don't have a racetrack to race at.

UNIDENTIFIED SPEAKER: How about the monetary fine of a 100,000?
MR. REYNOLDS: That's a process, and that's something that we will consider -- I'm not ready to consider that right now. It's a slow, painful process that involves a lot of patience. I don't fault any one side right now. I think both sides have issues that I don't like, both sides have issues that I support. Right now, I'm not ready to wield the axe on one side or the other, but it's certainly something that is at our disposal at some point. But this whole thing is a slow process, and we have to follow the law and the regulations that we are bound by. So it's just -- it's not that simple.

UNIDENTIFIED SPEAKER: Does the law empower you to make an interim decision for 2014 until something can come up?

MR. REYNOLDS: No, it does not. It does not. But anyway, thank you.

All right. I would like to seek a motion to adjourn.

MR. TROUT: We've already set the meeting for Thursday?

MR. REYNOLDS: Yes, we have. The next meeting will be Thursday morning here at 10:00.

MR. HETTEL: Special meeting.

MR. TROUT: So moved that we adjourn.

UNIDENTIFIED SPEAKER: Does that mean the public
is invited to the special meeting?

MR. HETTEL: One agenda item. That's all that is.

It's open. It's open.

MR. REYNOLDS: Do I hear a second?

MR. VAN CLIEF: Second.

MR. REYNOLDS: All in favor of adjourning say aye.

NOTE: All indicated in the affirmative.

MR. REYNOLDS: We're adjourned.

NOTE: The meeting concluded at 1:12 p.m.

HEARING CONCLUDED
CERTIFICATE OF COURT REPORTER

I, Roy Garrison Wood, hereby certify that I was the Court Reporter at the meeting of the Virginia Racing Commission at the time of the hearing herein.

Further, that to the best of my ability, the foregoing transcript is a true and accurate record of the proceedings herein.

Given under my hand this 28th day of May, 2014.

ROY GARRISON WOOD
REGISTERED PROFESSIONAL REPORTER

CAPITOL REPORTING, INC.