

OKLAHOMA HORSE RACING COMMISSION

ONE REMINGTON PLACE – BUILDING B

OKLAHOMA CITY, OK 73111

(405) 419-4441 or (405) 943-6472

2018 LICENSE APPLICATION FOR MANUFACTURERS, DISTRIBUTORS, VENDORS

A non-refundable license fee of \$10,000.00 for Manufacturer, \$5000.00 for Distributor, or \$10,000.00 for Manufacturer/Distributor and an investigation fee in an amount equal to one-half of the licensing fee must accompany this completed application.

Applicants for Manufacturer, Distributor, or Manufacturer/Distributor licenses must complete this entire application form including the required enclosed Personal Disclosure History Form(s).

A Vendor's License is required of any Vendor who is not a Manufacturer, Distributor, or Manufacturer/Distributor as defined in Commission *Rules for Racetrack Gaming* and who is not licensed by the Commission as a Manufacturer, Distributor, or Manufacturer/Distributor that conducts operations on-site at an Oklahoma Horse Racing Commission-licensed racetrack gaming facility. Applicants for Vendor's License must pay a non-refundable license fee of \$500.00.

Applicants for a Vendor's License who anticipate selling or leasing more than \$500,000 in goods and/or services to a Racetrack Gaming Operator in a calendar year must also complete the entire application form including the required enclosed Personal Disclosure History Form(s).

Applicants for a Vendor's License who anticipate selling or leasing less than \$500,000 in goods and/or services to a Racetrack Gaming Operator in a calendar year need only complete Questions 1-8, 9, 9a, 9c, 10, 13a, 13b, 15, 18, 19 27 and 28 and complete the Affirmation and Consent Form at the end of the application.

Key Executives of the Applicant must also apply for license from the Commission. Key Executive(s) for your company must complete the Key Executive Application and submit two (2) fingerprint cards each. Feel free to photocopy these applications or contact the Commission for additional copies, if necessary.

The Application must be typewritten or **CLEARLY PRINTED** in ink. Questions must be answered in full. If a question is not applicable, so state. **Applications which are not complete and legible will not be considered.** If space provided is not sufficient for complete answers or you wish to furnish additional information, attach sheets of the same size as this application, and number answers to correspond with the question.

Type of Application:

↓	LICENSE TYPE (PLEASE CHECK ONE)	LIST GOODS OR SERVICES PROVIDED
	Manufacturer's License	
	Distributor's License	
	Manufacturer / Distributor's License	
	Vendor (Selling or Leasing <u>More</u> Than \$500,000 in goods and/or services annually to a Racetrack Gaming Operator)	
	Vendor (Selling or Leasing <u>Less</u> Than \$500,000 in goods and/or services annually to a Racetrack Gaming Operator)	

I. GENERAL INFORMATION

1) Name of Applicant (company name): _____

2) Business Address: _____

3) Business Telephone: _____

4) Business Fax: _____

5) E-Mail Address: _____

6) Trade Name Used: _____

7) Other Company/Trade Names: _____

8) Federal Tax I.D. Number: _____

9) Applicant is a: (Check one)

- Corporation
- Partnership
- Unincorporated Association
- Sole Proprietorship
- Other: _____
- LLC

a) If the business is a Corporation, complete the following:

Place of Incorporation: _____ Date: _____

b) List other states or jurisdictions where domesticated or otherwise recognized to do business:

c) Has this company filed with the Oklahoma Secretary of State as a corporation or as an assumed business name (DBA) conducting business in Oklahoma?

- Yes
- No

d) Attach, as **Exhibit A**, a certified copy of Articles of Incorporation/Partnership Agreement / LLC Documents.

10) Is Applicant a publicly traded corporation?

- Yes
- No
- If Yes, on what Exchange _____

11) For each sole proprietor, principal stockholder (10% or greater) or principal owner of an unincorporated association (10% or greater) provide the following information.

<u>Full Name</u>	<u>City, State, Country of Residence</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

12) For each Officer and/or Director of the corporation, each member of an LLC, or each partner of a partnership, provide the following information.

<u>Full Name and Position Held</u>	<u>City, State, Country of Residence</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

13) For the Applicant and its parent corporation or any other intermediary affiliate, if any, provide the following:

a) For each criminal proceeding in which Applicant, parent corporation or any other intermediary affiliate is or has been a party, provide the following information:

Jurisdiction	Case Number	Violation(s) Charged	Disposition

For each case listed above, provide certified copies of the charge and disposition documents.

b) For each civil law suit or administrative or regulatory action in which Applicant, parent corporation or any other intermediary affiliate is or has been a party, provide the following information:

Jurisdiction	Case Number	Disposition

For each action, provide copies of the complaint or petition and final judgment, orders, decrees or settlement documents.

- c) For each jurisdiction in which Applicant, parent corporation or any other intermediary affiliate has been incorporated, domesticated or otherwise recognized to do business, provide evidence of good standing.
- d) Provide a copy of Applicant's last three (3) years federal tax returns.

14) Attach the following documents:

- a) Attach, as **Exhibit B**, the most recent audited financial statement reflecting the Applicant's current assets (including investments in affiliated entities), loans and advance receivable, fixed assets and current liabilities, including loans and advance payable and long-term debt and equity.
- b) Attach, as **Exhibit C**, audited financial statements for the past two (2) years.
- c) As **Exhibit D**, provide balance sheets and profit and loss statements for the three (3) Fiscal Years immediately preceding this application date OR if the period of organization is less than three (3) years, provide balance sheets and profit and loss statements for the period of organization. If the period of organization is less than one full Fiscal Year OR if the organization acquires or is to acquire the majority of its assets within the current Fiscal Year, financial information for the current Fiscal Year must be provided in the exhibit.
- d) Attach, as **Exhibit E**, the Applicant's most recent Annual Report.
- e) Provide, as **Exhibit F**, the following information for all of Applicant's bank account(s) and complete a Request for Financial Records and Release From Liability form (Page 12) for each financial institution.
 - 1. Name and address of bank
 - 2. Name of account holder and account number
 - 3. Bank's telephone number
 - 4. Bank's e-mail address
- f) Provide, as **Exhibit G**, the following information for all of Applicant's outstanding loans and complete a Request for Financial Records and Release From Liability form (Page 12) for each lender.
 - 1. Name and address of lender
 - 2. Name of debtor and account/loan number
 - 3. Original loan amount and current outstanding balance
 - 4. Lender's telephone number
 - 5. Lender's e-mail address

15) Has the Applicant, the applicant's parent company or any other intermediary affiliate of applicant ever filed a bankruptcy petition, had such a petition filed against it, or had a receiver, fiscal agent, trustee, reorganization trustee or similar person appointed for it?

Yes No

Jurisdiction	Case Number	Disposition

For each bankruptcy proceeding above, attach copies of Final Orders, Decrees, and/or Judgments.

16) Does the Applicant, the applicant's parent company or any other intermediary affiliate of applicant now own, has it ever owned, or does it otherwise derive a benefit from, assets held outside the United States, whether held in the business' name or other name, on its behalf or for another entity, or through other business entities, or in trust, or in any other fashion or status?

Yes No

If yes, provide details on a separate sheet.

17) Has the Applicant ever held a financial interest in a gambling venture, including but not limited to, a racetrack, dog track, lottery, casino, bookmaking operation, or pari-mutuel operation?

Yes No

If yes, list all businesses below.

Name of Business	Address	Dates of operation

18) Has the Applicant ever been the subject of any settlement, order, judgment or decree of any federal or state authority barring, suspending, or otherwise limiting its right to engage in any professional or business practice or activity?

Yes No

If yes, attach, as **Exhibit H**, a copy of the Order, Judgment, Decree or Settlement.

19) Has the Applicant ever been the subject of any order, settlement, judgment or decree of any court of competent jurisdiction permanently or temporarily enjoining its right to engage in any professional or business practice or activity?

Yes No

If yes, attach, as **Exhibit I**, a copy of the Order, Judgment, Decree or Settlement.

20) Do you know of any economic interest held in your business by any person employed by the State of Oklahoma or who is an official of the State of Oklahoma?

Yes No

If yes, provide name, address, phone number and position held.

II. GENERAL OPERATION HISTORY

21) Applicant must provide the following information for each of the last three (3) years:

a) Address of main office:

20__ : _____

20__ : _____

20__ : _____

b) Addresses of all satellite offices, if any:

20__ : _____

20__ : _____

20__ : _____

c) Number of full-time employees:

20__ : _____

20__ : _____

20__ : _____

III. HISTORY OF LICENSING

22) List below the name, address, phone number and e-mail address of all states, countries and/or certifying entities which have issued you a license or certificate to do business for the last three (3) years. Provide, as Exhibit J, a copy of each license or certification received.

Name & Address of Entity & Type of License	Phone Number	E-mail Address

- 23) Provide the following information, for the last three (3) years, for each entity that you paid over \$500,000 for goods and/or services. Please distinguish between purchasing and leasing.

Name & Address of Entity	Phone Number	E-mail Address

For each entity listed above, provide copies of all contracts relating to services provided.

- 24) Provide the following information, for the last three (3) years, for each entity that paid you \$500,000 or more for goods and/or services. Please distinguish between purchasing and leasing.

Name & Address of Entity	Phone Number	E-mail Address

For each entity listed above, provide copies of all contracts relating to services provided.

25) Provide the following information, for the last three (3) years, for each testing or regulatory entity that has approved your gaming machine(s) or device(s).

Name & Address of Entity	Phone Number	E-mail Address

For each entity listed above, provide copies of all approvals.

26) Provide a current organizational chart of your entire company.

27) Provide a list of racetrack gaming licensees that you will be vending too and list the services and equipment that will be provided.

28) Regarding Oklahoma Workers' Compensation Act Compliance; do you now employ or do you intend to employ any person(s) to work within the racetrack enclosure at any OHRC-licensed racetrack? (i.e. service technicians, etc.)

Yes No

If "YES," provide the following details AND attach a copy of the appropriate Certificate(s) of Insurance to this application.

Insurance company: _____

Agent: _____

Agent's area code and phone: () _____

Policy number: _____ Expiration: _____

List all employees and their occupations at OHRC-licensed racetracks covered by the insurance above. (Attach additional sheet, if necessary)

If "NO," I hereby certify that I have no employees at an OHRC-licensed racetrack which would subject me to liability under Workers' Compensation Laws of the State of Oklahoma; and if, at a later date, facts change to subject me to any such liability, I shall immediately notify the Commission and furnish evidence of security for such liability, all as provided by the *Rules of Racing* of the Oklahoma Horse Racing Commission.

OHRC RULES REQUIRE: No person may be licensed in any capacity in which such person acts as the employer of any other licensee upon the racetrack enclosure operated by an organization licensee at any time during the calendar year for which the organization license has been issued, unless his/her liability for Workers' Compensation has been secured in accordance with the Workers' Compensation Act of the State of Oklahoma and until a Certificate of Insurance or other appropriate evidence of self-insurance evidencing such security for liability is provided to the Commission. Should any such required security for liability for Workers' Compensation be cancelled or terminated, any license held by such person may be subject to summary suspension and may be grounds for revocation of the license. If a license applicant or licensee certifies that she has no employees that would subject him/her to liability for Workers' Compensation, s/he may be licensed until such time as s/he has employees, then s/he must inform the Commission of such employee(s) and furnish a Certificate of Insurance or other appropriate evidence of self-insurance evidencing that the employee(s) are covered by Workers' Compensation Insurance.

IV. AFFIRMATION & CONSENT

I, _____ as authorized agent of the
Printed Name

Applicant, state under penalty of perjury that the statements, attachments and supporting documents in this Application are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for refusal to issue a license by the State of Oklahoma. Further, I am aware that later discovery of an omission or misrepresentation made in the Application may be grounds for the denial of a license or the revocation of the license. I am voluntarily submitting this application on behalf of the Applicant to the Oklahoma Horse Racing Commission under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Oklahoma law. I further consent to any background investigation necessary to determine the present and continuing suitability of the Applicant and that this consent not only applies during the application period but also continues as long as the Applicant holds an Oklahoma license. I understand that further information may be requested of the Applicant in regard to this application, and the Applicant agrees to supply such information upon request.

Applicant's Business Name

Trade Name (DBA)

Printed Full Legal Name of Agent

Agent's Title

Signature

Date

STATE OF _____)

) SS:

COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires: _____.

