

THE HORSEMAN No. 103

Four Separate Open & Filly Races for 3-Year-Old Trotters & Pacers in 2012

OWNED AND SPONSORED BY: Indiana State Fair

SERVICED BY: The Hambletonian Society, Inc.

FOR: Foals of 2009 (Subject to U.S.T.A. Foaling Date Rules).

TO BE RACED AS: Four races. Three-Year-Old Trotters & Pacers in 2012
(Separate Open and filly divisions)

TO BE RACED AT: Indiana State Fair, Indianapolis, Indiana. Definite dates will be published in the *U.S.T.A. Stakes Guide* in the year of the races. If for any reason it becomes impractical or undesirable, in the opinion of the Sponsor, to hold either one or more of these races at the track designated, the Sponsor reserves the right to change the date and/or the location of either or both races.

CANCELLATION: The Sponsor further reserves the right to cancel any or all of the races if for reasons beyond its control it becomes impractical or undesirable in the opinion of the Sponsor to conduct said race or races. If an event is not raced due to circumstances beyond its control, the Sponsor's responsibility and liability will be limited to refunding without interest nomination, sustaining and entrance fees collected toward canceled events that have not been disbursed at the time of cancellation. If canceled after the first 2-year-old payment, these monies will be prorated among the owners of the horses eligible at the time of cancellation. If canceled prior to the first 2-year-old payment, the nomination fees will be refunded to the nominators.

PURSE: Actual 2009 total purses were:

Gov. Frank O'Bannon 3YO Colt Trot	\$39,206 (1 division; 1 heat)
3-Year-Old Filly Trot	\$36,804 (1 division; 1 heat)
3-Year-Old Open Pace	\$33,100 (1 division; 1 heat)
3-Year-Old Filly Pace	\$31,340 (1 division; 1 heat)

ADDED MONEY: Indiana State Fair will add a minimum of 10% of the total amount paid in by horsemen minus the service fee paid to The Hambletonian Society

NOMINATION FEE: May 15, 2010\$15 (U.S. Funds only)

Nominated horses (including those that have otherwise entered by supplemental nomination as provided below) must be properly identified to the satisfaction of the Society at the time of nomination, including but not limited to certifying that the nominated horse is registered as a twin or is the only foal of the mare in 2009. The Society will not recognize foals as twins if produced through embryo/ovum transfer. If produced through embryo/ovum transfer, only the donor mare's first born foal in 2009 will be eligible for nomination. The Owner(s) of the nominated horse agree to indemnify and hold the Society and the Stake Owner and Sponsor harmless from any and all claims, suits or damages, including attorney's fees, arising out of or related in any way to such certification.

SUPPLEMENTAL NOMINATIONS: Any foal of 2009 not previously eligible may be entered on March 15, 2011 for a payment of \$300 in the Open Division, \$250 in the Filly Division.

FUTURE PAYMENTS: (U.S. Funds only)

	<u>OPEN</u>	<u>FILLIES</u>
On 2-Year-Olds		
March 15, 2011 Sustaining Fee	\$75	\$75
On 3-Year-Olds		
February 15, 2012 Sustaining Fee	\$300	\$250
Entrance Fee	\$600	\$600

DECLARATION: To be paid at the office of the director of racing at the Indiana State Fairgrounds at the entry closing time existing at that track.

Entrance fee shall be due at time of declaration and payable not later than one hour prior to post time of the race to be contested. All entrance fees shall be made payable to The Hambletonian Society, Inc.

FILLY NOTICE: A filly which is properly nominated and sustained, but not declared to start in the Filly Division, may start in the Open race upon 1) proper declaration and 2) payment of a) the entrance fee required for the Open race plus b) the difference between any lower nominating and sustaining fees for the Filly Division and the higher nominating and sustaining fees for the Open race. In such event previous payments in the Filly Division shall remain therein and shall be forfeits. A filly may not declare or enter in both races.

Filly Declaration for the Open..... \$50 plus Entrance Fee

SUPPLEMENTAL DECLARATIONS: There are no supplemental declarations allowed for either the Open or the Filly Division.

PAYMENT DISTRIBUTION: Nomination fees will be divided equally between the trotting and pacing divisions of this event. All other payments will be credited to the specific race.

TRANSFER: Eligibles changing gait may be transferred at any time. Payments already made remain with the original gait.

NOTICE: U.S.T.A. Rule 11, Section 3 provides: "Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event." The Hambletonian Society, Inc. will construe payment to require that cash or check duly honored upon presentation be received at the time specified in U.S.T.A. Rule 12, Section 4.

WAIVER: As a condition of participation in the Horseman No. 103, the Owner(s) of the nominated horse(s) hereby grants to the Sponsor, its representatives, successors, and assigns the absolute right to copyright and publish, use or reuse still and motion photographic images of its horses, drivers, trainers, employees, officers and agents, in whole or in part, in composite or in distorted character, with or without use of names, in color or otherwise, for the purpose of promotion, advertising, trade or other lawful purpose in any and all media. Owner(s) waives any right to inspect and/or approve the finished product or the copy that may be used in connection therewith or the use to which it might be applied. Owner(s) further agrees to inform his drivers, trainers, employees, officers and agents of the authority granted to the Sponsor herein, to hold Sponsor harmless from any and all liability and damages, and to indemnify the Sponsor from same should any such owner(s), driver(s), trainer(s), employee(s), officer(s) and agent(s) challenge Sponsor's rights herein as set forth above.

RACING CONDITIONS: All events to be raced as one dash at one mile. It is the intention of the sponsor that all races will be conducted in a single heat.

If 12 or more horses declare in any race, that race will be held in divisions and the trophy will be awarded to the winning horse in the official order of finish with fastest time. If those winners are tied in time, or if there is a dead-heat among the winners in the fastest division, the race will be declared a tie, and the trophy will be awarded by the toss of a coin.

All starters are subject to the detention policy of the race track.

MONEY DIVISION: Five or more starters: 50-25-12-8-5%; Four starters: 50-25-15-10%; Three starters: 60-30-10 %; Two starters: 65-35 %.

DRIVERS AND TRAINERS FEES: The drivers and trainers fees may be disbursed in accordance with the policy of the track at the time of the race.

DISPUTES: In the case of any dispute as to the interpretation of these conditions, the decision of the Sponsor shall be final. All fees and payments in any race are accepted on the condition that all claims, objections and appeals arising out of these races or with respect to any interpretation of any rules or conditions of the races, or otherwise shall be decided by the Sponsor.

RULES: Race entrants shall comply with all applicable rules, regulations, policies, procedures and/or guidelines of the Indiana State Fair, the Indiana State Fair Commission, the Indiana Horse Racing Commission and the rules of the United States Trotting Association not in conflict with these conditions. Additionally, entrants will be subject to the Indiana State Fair Harness Department track policies and procedures. Among other things, Indiana State Fair Commission rules and policies prohibit alcohol or firearms at the fair. Among other things, track policies and procedures presently require testing (and disqualification) for various foreign substances and excess sodium/bicarbonate levels.

NOMINATION AND SUSTAINING CHECKS PAYABLE TO AND MAIL TO:

The Hambletonian Society, Inc.
Cranbury Gates Office Park
109 South Main Street, Suite 18
Cranbury, NJ 08512-3174