

TOMPKINS—GEERS STAKE NO. 77

Eight Separate Colt & Filly Races

For 2-Year-Old Trotters & Pacers in 2011; 3-Year-Olds in 2012

OWNED AND SERVICED BY: The Hambletonian Society, Inc.

SPONSORED BY: Tioga Downs.

FOR: Foals of 2009 (Subject to U.S.T.A. foaling date rules).

TO BE RACED AS: Eight races. Separate Colt (including geldings) and Filly divisions for 2-year-old and 3-year-old trotters (Tompkins Memorial) and 2-year-old and 3-year-old pacers (Geers Stake).

TO BE RACED AT: Tioga Downs, Nichols, New York. 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 Hambletonian Society (Society), to hold either one or more of these races at the track designated, the Society reserves the right to change the date and/or the location of either any or all races.

CANCELLATION: The Society further reserves the right to cancel either one or more of the races if for reasons beyond its control it becomes impractical or undesirable in the opinion of the Society to conduct said race or races. If an event is not raced due to circumstances beyond its control, the Society'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:

2-Year-Old Colt Trot	\$95,110	(3 divisions)
2-Year-Old Filly Trot	\$92,056	(3 divisions)
2-Year-Old Colt Pace	\$83,260	(4 divisions)
2-Year-Old Filly Pace	\$78,458	(2 divisions)
3-Year-Old Colt Trot	\$83,806	(2 divisions)
3-Year-Old Filly Trot	\$79,806	(2 divisions)
3-Year-Old Colt Pace	\$63,306	(1 division)
3-Year-Old Filly Pace	\$66,806	(2 divisions)

ADDED MONEY: Tioga Downs will add \$15,000 to each of the four 2-year-old events and \$25,000 to each of the four 3-year-old events; or \$30,000 to the 3-year-old events if they are split into divisions.

NOMINATION FEE: May 15, 2010\$10 (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 Host Track and the 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: Foals not nominated in the May 15, 2010 yearling payment, may be made eligible by a supplemental nomination fee of \$400, due on or before March 15, 2011. Supplemented horses may declare as a 2-year-old, subject to the designated entrance fee and will be eligible to the 3-year-old event if they make the February 3-year-old payment. Two-year-old supplemental nominees do not have to pay the normal March 15 sustaining fee.

March 15, 2011 2YO Supplemental Nomination Fee\$400

FUTURE PAYMENTS: (U.S. Funds only)

On 2-Year-Olds:

March 15, 2011 Sustaining Fee	\$350
Entrance fee	\$1,000
Entrance fee (if two or more divisions).....	\$500

On 3-Year-Olds:

February 15, 2012 Sustaining Fee	\$500
Entrance fee	\$1,000
Entrance fee (if two or more divisions).....	\$500

FUTURE ELIGIBILITY: The March 2-year-old payment, as well as the February 3-year-old payment, must be made to remain eligible for the 3-year-old events.

DECLARATION: Entrance Fee shall be due with declaration to start at the track where the race is being held at the time and date posted on the Condition Sheet.

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.

At the time of declaration, horses declared to race in these events must have a *clean charted past performance line that meets the current time requirement of the Host Track within thirty days of the date of declaration for the race.*

FILLY NOTICE: Fillies are not eligible to the colt races.

SUPPLEMENTAL DECLARATIONS: There are no supplemental declarations allowed for any of these races.

PAYMENT DISTRIBUTION: Nomination fees will be divided equally among the eight races. 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 Tompkins—Geers Stake No. 77, the Owner(s) of the nominated horse(s) hereby grants to the Society, 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 Society herein, to hold Society harmless from any and all liability and damages, and to indemnify the Society from same should any such owner(s), driver(s), trainer(s), employee(s), officer(s) and agent(s) challenge Society's rights as set forth above.

RACING CONDITIONS: All events to be raced as one dash at one mile. If the number of horses declared in to start exceeds the limits prescribed by the current U.S.T.A. Rules (12 on a 5/8 mile), that event may be held in elimination heats or divisions. Tioga Downs reserves the right to race eliminations or divisions if the number of horses declared in to start is less than listed above.

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

MONEY DIVISION: Purses for all races will be divided 50-25-12-8-5%.

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 Executive Committee of The Hambletonian Society, Inc. 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 Executive Committee of the Hambletonian Society, Inc.

RULES: Unless otherwise specified, New York State Racing & Wagering Board, Harness Racing Division, Rules & Regulations to govern these events, as well as Tioga Downs Raceway Rules & Regulations. The rules shall be those in effect at the time of the race.

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 08512-3714