

MGM Grand Messenger Stake

and Park MGM Pace (Filly Division) For 3-Year-Old Pacers

Note:

MGM Yonkers Inc. reserves the right to add to, amend or delete the conditions of all or any part of the MGM Grand Messenger Stake, without liability.

Owned and Sponsored By:

MGM Yonkers Inc.

Serviced By:

The Hambletonian Society, Inc.

For:

Foals of 2023 (Subject to USTA Foaling Date Rules).

To Be Raced As:

Two races. Messenger Pace for 3-Year-Old Pacers (Open) and the Park MGM Pace for 3-Year-Old Pacing Fillies (Filly Division).

To Be Raced At:

Yonkers Raceway, Yonkers, N.Y. ("Track"). Definite dates will be published in the USTA Stakes Guide in the year of the race. If for any reason it becomes impractical or undesirable, in the opinion of MGM Yonkers Inc. (Yonkers), to hold either one or both of these races at the track designated, Yonkers reserves the right to change the date and the location of either or both races.

Cancellation:

MGM Yonkers Inc. further reserves the right to cancel either or both of the races if for reasons beyond its control it becomes impractical or undesirable in the opinion of Yonkers to conduct said race or races. If an event is not raced due to circumstances beyond its control, Yonkers' responsibility and liability will be limited to refunding without interest, nomination, sustaining, supplemental and entrance fees collected toward canceled events that have not been disbursed at the time of cancellation to horses eligible at 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.

Actual 2023 Total Purses:

The MGM Grand Messenger Stake \$250,000 (1 dash)
Park MGM Pace (Filly Division) \$155,000 (2 eliminations)

Added Money:

MGM Yonkers Inc. will add a minimum of 20% of all nomination, supplemental nomination and sustaining fees paid into each race. Each elimination for the Open will race for a purse of no less than \$25,000 and, if eliminations in the Filly Division, no less than \$15,000.

Nomination Fee (U.S. funds only):

May 15, 2024 \$25
Nominated horses must be properly identified to the satisfaction of The Hambletonian Society at the time of nomination.

Supplemental Yearling Nominations:

August 15, 2024 \$125

Supplemental Nominations:

Otherwise not eligible 3-year-old colts may be made eligible to the Open division by a supplemental nomination fee of \$6,000, due on or before February 15, 2026. 3-year-old fillies that are not eligible may be made eligible to the filly division by a supplemental nomination fee of \$3,000, due on or before February 15, 2026. Such supplemented horses may declare as a 3-year-old, subject to the

designated entrance fees. Three-year-old supplemental nominees do not have to pay the normal February 15 sustaining fee.

Feb. 15, 2026 3YO Colt Supplemental Nomination \$6,000
Feb. 15, 2026 3YO Filly Supplemental Nomination \$3,000

Future Payments (U.S. funds only):

| | COLTS | FILLIES |
|---------------------------------------|---------|---------|
| On 2-Year-Olds | | |
| March 15, 2025 Sustaining Fee | \$300 | \$150 |
| On 3-Year-Olds | | |
| February 15, 2026 Sustaining Fee..... | \$1,000 | \$500 |

Entrance Fee will be published the year of the race.

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 and payable not later than one hour prior to post time of the first elimination heat (if eliminations are necessary) or the race to be contested. All entrance fees shall be made payable to The Track. There shall be no refunds for scratched horses.

Qualifying standards shall be those in effect for Added Money races at the Host Track at time of entry.

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 fees 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.

Supplemental Declarations:

Three-year-old pacers not otherwise eligible may enter and start in their respective divisions by payment of a supplemental declaration fee due with intent to start in the elimination races, at a prescribed time and day scheduled by the Raceway:

| | Eliminations/Final |
|-------------------------------------|--------------------|
| Messenger Pace (Open)..... | \$25,000 |
| Park MGM Pace (Filly Division)..... | \$10,000 |

Supplemental declaration fees and entrance fees shall be payable not later than one hour prior to the post time of the first elimination heat (if eliminations are necessary) or the race to be contested, as the case may be. There shall be no refunds for horses scratched in either event. All entrance fees shall be made payable to the MGM Yonkers Inc. If a horse dies after the supplement entry time, it is eligible for a refund up until the start of the race.

Payment Distribution:

Nomination fees will be divided equally between the Open and the Filly Division. All other payments will be credited to the specific race.

Notice:

USTA Rule 12.04 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 USTA Rule 12.02.

Waiver:

As a condition of participation in the Messenger 2026 (the Open and/or Filly Division), the Owner(s) of the nominated horse(s) hereby grants to Yonkers, 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 Yonkers herein, to hold Yonkers harmless from any and all liability and damages, and to indemnify Yonkers from same should any such owner(s), driver(s), trainer(s), employee(s), officer(s) and agent(s) challenge Yonkers' rights herein as set forth above.

Racing Conditions:

MGM Grand Messenger (Open):

There may be elimination races held at least six (6) days prior to the final, if necessary. The elimination races will race for a minimum purse of \$25,000 each. These races may be contested at a distance of one mile or longer.

If there are nine (9) or less horses entered, there will be no elimination race and all of the entered horses will go straight to the final.

If there are ten (10) horses entered, the racing office reserves the right to choose from the following:

- 1) Race the final as a single dash at one mile or longer with a field of 10 horses, or
- 2) Offer byes to the two highest money earners in 2026 who accept the bye and have an elimination race with eight horses to eliminate two to create an eight-horse final, or
- 3) Split the race into two elimination races with the top four horses in the official order of finish advancing to the final.

If there are eleven (11) horses entered, the racing office reserves the right to:

- 1) Offer a bye to the three highest money earners in 2026, who accept the bye and have an eight-horse elimination race to eliminate three horses, creating an eight horse final, or
- 2) Split the horses into two elimination races with the top four horses in the official order of finish of each elimination race advancing to the final.

If there are 12 to 16 horses entered, the race will be split into two elimination races with the top four in the official order of finish advancing to the final.

If more than seventeen (17) horses are entered, it is at the discretion of the racing office to split the horses into elimination races as necessary.

In addition, at the discretion of the Race Secretary, two horses will be selected from those in the eliminations that do not qualify for the final to be designated "Also Eligible" ("AE") for each final. The preference to determine which is the first "Also Eligible" ("AE1") shall be determined by taking the horse that placed highest in the official order of finish of all elimination divisions, but did not qualify for the final; in the event horses are equal in the finish position, final preference will be determined by lot*. The other horse will be the second "Also Eligible" ("AE2").

*However, whenever there is a draw by lot for the final or "Also Eligible", a non-entry horse will have preference over a horse creating an entry or adding additional horse(s) to an existing entry. If the need occurs to replace a horse or horses qualified for the final, it will be done in a manner consistent with the published conditions and the track policy of Yonkers Raceway concerning the determination of eligibility to the final. All horses making the final will automatically be entered

by the Race Secretary.

If because of an accident in the elimination race, an insufficient number of horses finish the race and qualify for the final, the remaining finalist and "also eligibles" will be selected by lot* from the remaining non-offending horses in that elimination where the accident occurred.

Park MGM Pace (Filly Division):

The sponsor reserves the right to race the filly race in divisions and/or eliminations conducted in the same manner as the open race.

Each event and all of its races will be at a distance of one mile, and all races will be drawn by lot; all entries will be seeded whenever possible.

If there are eliminations and a final scheduled, the racing conditions above for the Open will apply with the exception that elimination races will race for a minimum purse of \$15,000 each.

All starters in the open and the filly division are subject to the detention policy of the race track.

The Sponsor at its sole discretion reserves the right to conduct one or both of these races in a format either with eliminations in the previous week to the final as published above, in divisions, or on a single date with "top eight" (8) format and possibly, at the discretion of the sponsor, a consolation race or races as determined by the number of entries. The format will be published the year of the race.

Money Division:

Purses 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 MGM Yonkers 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 MGM Yonkers.

MGM Yonkers Inc, at its sole discretion as to what it determines to be in the best interest of the Races, reserves the right to refuse the participation of any entry or proposed entry. Any horse owned or trained by an owner or trainer who is arrested, indicted or is the subject of a filed governmental criminal information charging such person with administering, selling, sponsoring or encouraging the sale or use of illegal medications or the illegal or unethical treatment of animals will be ineligible to race in any of the races owned by MGM Yonkers Inc. Such ineligibility shall commence on the date of such arrest, indictment or information and continue for a minimum of 60 days from the time of the transfer of ownership of the horse and/or the change of trainers to a bona fide separate and unrelated licensed owner or trainer, as the case may be. All payments may be subject to forfeiture.

Rules:

Unless otherwise specified and except as may be affected by a state or provincial racing Commission or Board, USTA rules not in conflict with these conditions or the future amended conditions in the year of the race to govern, as well as the Track rules and regulations. The conditions and rules and regulations shall be those in effect at the time of the race.

Make Nomination and Sustaining Checks

Payable To and Send To:

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