**MISSOURI GAMING COMMISSION**



### **Riverboat Gaming Renewal Application**

**You must make accurate statements and include all material facts. Any misrepresentation, or the failure to provide requested information, may result in the denial of the application. Any statement that is not true or not disclosed which becomes known at any later date is cause for revocation of the Riverboat Gaming License.**

Note: The Commission, notwithstanding the provisions of section 610.110, RSMo. has access to both closed and open records pursuant to section 313.004, RSMo. Please answer all the questions fully and thoroughly.

**Instructions for Riverboat Gaming License RENEWAL Application Form**

Applicants for relicensure are seeking a privilege. The burden of proving qualifications to receive such a license is at all times on the applicant. The applicant must accept any risk of adverse public notice, embarrassment, criticism, or other action, or financial loss, which may result from action with respect to any application, and expressly waives any claim for damages as a result thereof. Information not called for in this form or in addition to that provided in response to this form may be requested. The applicant shall provide all information, documents, materials and certifications at the applicant’s sole expense and cost.

The total cost of the investigation conducted pursuant to this application shall be borne by the applicant. In addition, the applicant is responsible for the payment of all application and license fees required under the Act and the posting of the bond required under the Act.

The applicant should respond to the questions contained herein to the best of its knowledge. ***Any misrepresentation or omission is grounds for application denial.***

The applicant is under a continuing duty to immediately disclose any changes in the information provided in the application and requested materials submitted to the commission. The duty to make such additional disclosures shall continue throughout any period of the licensure granted by the commission.

Type or print in black ink the answers to questions. If the answer or material responsive to a question has been provided in response to another portion of the application, refer to the other portion.

If you make any modification to the pre-printed questions, format or information contained in this form, your application will be rejected. Once your application is accepted, it becomes the property of the Missouri Gaming Commission and will not be returned.

**FORMS AND DOCUMENTS**

The original and one (1) copy of each of the following forms and items, appropriately organized and tabbed by exhibit number must be submitted in letter-size expansion envelopes by the applicant. **Please do not use ring binders.** All copies must be labeled with the applicant’s name. Mail the forms and documents to:

Licensing Division

Missouri Gaming Commission

3417 Knipp Drive

Jefferson City, MO 65102

**Checklist**

 [ ]  Riverboat Gaming License Renewal Application Form submitted by Class A and Class B applicants and their key person business entities.

 [ ]  Applicant’s authorization and request to release information.

 [ ]  Release of all claims.

 [ ]  Affidavit of full disclosure.

 [ ]  Verification.

 [ ]  Tax information authorization.

**ANNUAL FEE**

The annual renewal fee for Class A and Class B licenses shall be $25,000, or such greater amount as established by the commission.

**DEFINITIONS**

Definitions contained in the statute and rules also apply to this application. In addition, for the purposes of this application, the following terms shall have the following meanings:

**Applicant:** Any individual or business entity who directly or indirectly has a Class A or Class B license. The designation of a specific applicant entity can be amended to be any other entity that is directly or indirectly wholly owned by the same individual or entity as the previous applicant; provided that any change in the designated specific applicant entity will not result in the transfer of any license to the newly designated specific applicant entity, and that such newly designated specific applicant entity must request a new license from the commission as part of the application amendment.

**Application:** The total written materials, including the instructions, forms and other documents issued by the commission, comprising the applicant’s request for a Class A or Class B relicense.

**Best of knowledge:** The applicant’s knowledge after substantial inquiry.

**Business entity:** A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, trust, sole proprietorship or other form of business.

**Class A license:** A license granted by the commission to allow the parent organization(s) or controlling entity, as determined by the executive director, to develop and operate Class B licensee(s).

**Class B license:** A license granted by the commission to maintain, conduct gambling games on, and operate an excursion gambling boat and/or gaming facility at a specific location.

**Compensation:** Anything of value, including salary, wages, commissions, tips, gratuities, fees, bonuses, and distributions from corporations, in any form, including cash, securities, real property and tangible and intangible personal property.

**Control:** The power to exercise authority over, direct the management and policies of, or highly influence the decision of an individual or business entity.

**Dock:** The locations where a riverboat moors for the purpose of embarking passengers for and disembarking passengers from an excursion.

**FEIN:** Federal Employer Identification Number.

**Felony:** A criminal offense for which a sentence of imprisonment for one year or more may be imposed under the laws of any jurisdiction.

**Financial statement:** Any balance sheet, income statement, profit and loss statement, statement of cash flow, and sources and uses of funds statement.

**Game:** Any banking, wagering, gaming or percentage game or activity, including those played with cards, chips, tokens, dice implements, devices or any electronic, electrical, or mechanical device or machine, which is played for money, property, or anything of value, included, without limitation, baccarat, twenty-one, poker, craps, slot machine, video game of chance, roulette, klondike table, punchboard, faro layout, keno layout, numbers ticket, bingo, push card, jar ticket, pull tab, horse racing, dog racing and jai alai.

**Gaming area:** The room(s) on a riverboat in which gaming is conducted.

**Predecessor Company:** A business entity which no longer exists in its original form but whose assets in substantial part have been acquired by another business entity or which had undergone certain internal changes, such as those of identity, form or capital structure.

**Public Official:** An individual who is elected to office or who is appointed to an office to discharge a public duty for any country, state, city, county or any political subdivision.

**Publicly-held Company:** A company that has filed a registration statement with the Securities and Exchange Commission.

**Registered Agent:** Any individual or business entity against whom service of process may be made on behalf of any business entity or that is designated as such by any articles of incorporation or other corporate filings in any state.

**PERSON TO BE CONTACTED IN REFERENCE TO THIS APPLICATION**

|  |  |
| --- | --- |
|       |       |
| Name | Title |
|       |       |       |
| E-Mail Address | Telephone Number | Fax Number |

**ACCOUNTS PAYABLE CONTACT (INDIVIDUAL TO RECEIVE INVOICES)**

|  |  |
| --- | --- |
|        |       |
| Name Title |
|       |       |       |       |
| Address City State Zip |
|       |       |       |
| E-Mail Address Telephone Number Fax Number |

**LICENSING CONTACT**

|  |  |
| --- | --- |
|       |       |
| Name Title |
|       |       |       |       |
| Address City State Zip |
|       |       |       |
| E-Mail Address Telephone Number Fax Number |

**LOCATION OF CURRENT RIVERBOAT GAMING OPERATION**

|  |  |  |  |
| --- | --- | --- | --- |
|       |       |       |       |
| Address | City | County | Zip |
|       |       |
| Telephone Number | Fax Number |

Check the appropriate box:

[ ]  This form is being submitted as a renewal application for a Class A license.

[ ]  This form is being submitted as a renewal application for a Class B license.

**APPLICATION FOR RENEWAL OF A RIVERBOAT GAMING LICENSE**

**IS HEREBY MADE TO**

**THE MISSOURI GAMING COMMISSION**

|  |
| --- |
| **NAME OF CORPORATION\*** |
|  |
|       |
| \*Name as it appears on the certificate of incorporation, charter, by-laws or other official document. (DO NOT ABBREVIATE) |

|  |
| --- |
|       |
| **D/B/A or Trade Name(s)** |

**THE PRINCIPAL BUSINESS ADDRESS OF THE CORPORATION**

|  |  |  |  |
| --- | --- | --- | --- |
|       |       |       |       |
| Address | City | State | Zip |
|       |       |       |
| Country | Telephone Number | Fax Number |  |
|       |       |       |       |
| Mailing address (if different) | City | State | Zip |
|       |
| Web site:      |       |
| Federal Employer Identification Number (FEIN)\* | Missouri Retailers Occupation Tax Number (if applicable) |
| \* If the applicant does not hold a FEIN number, state the proposed date for obtaining this number and the Internal Revenue Service office where federal tax filings will occur. |

**Transmittal Letter**

Missouri Gaming Commission

3417 Knipp Drive

Jefferson City, MO 65109

Dear Sir or Madam:

     (Applicant’s Name) does herewith make application for relicensure by the Missouri Gaming Commission to own or operate, or both, a riverboat gambling operation during the calendar years 20   to 20  .

In accordance with the Missouri Riverboat Gaming Act, the applicant submits herewith a check or money order in the amount of $25,000 representing the annual renewal fee for a Class A and Class B license. The applicant understands that additional costs of the investigation will be assessed by the commission.

The applicant agrees to disclose and to require all of the persons associated with the applicant to disclose all information, documents and other material which the commission may request at any time.

Further, the applicant agrees to furnish any additional information, documents and other material requested by the commission, and agrees that such additional material shall be made a part of this application.

The applicant acknowledges that neither the acceptance of this application not the issuance of a license hereunder shall imply that the Missouri Gaming Commission admits the truth of the statements herein made, or its approval thereof. Nor shall such acceptance or the issuance of a license constitute waiver or agreement by the commission with respect to any material contained in this application. The applicant further acknowledges that any license or any interest in any license issued by the commission is not transferable, and that subsequent legislation or regulation may diminish the value of any license issued by the commission to any extent possible.

The applicant has read and agrees to abide by the terms of the Missouri Riverboat Gaming Act and any rules promulgated by the commission, including any emergency rules and proposed rules.

 Respectfully submitted,

|  |  |
| --- | --- |
|  |       |
|  | (Applicant’s Name) |
| By: |       |
|  | (Officer) |

**APPLICANT INFORMATION**

1. Check the category below, which describes the applicant’s business entity. An individual should apply as a sole proprietor. If the other specific categories are not applicable then “Other” must be indicated for any business entity, which is not one of the specific categories listed. If “Other” is checked, provide in the space below an explanation of the business entity.

 [ ]  Corporation [ ]  Limited Partnership

 [ ]  General Partnership [ ]  Sole Proprietor

 [ ]  Holding Company [ ]  Trust

 [ ]  Limited Liability Company [ ]  Unincorporated Association

 Other:

2. Provide in the space below, a detailed description of the applicant’s business, including the background and skills of the applicant and the applicant’s key persons, and identifying and describing any predecessor company of the applicant.

3. Provide in the space below, a list of all current and former addresses, which the applicant has held or from which it has conducted business within ten (10) years from the date of filing this application, including the approximate time periods during which such addresses were held.

| DATES | ADDRESS OF OPERATIONS |
| --- | --- |
| FROM: | TO: |
|       |       |       |
|       |       |       |
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4. Provide in the space below, a list of all current and former jurisdictions, which the applicant has conducted business and describe the business activity conducted in those jurisdictions and state whether business is current.

| ADDRESS OF OPERATION (INCLUDE CITY, STATE & COUNTY) | TYPE OF BUSINESS CONDUCTED | IS BUSINESS CURRENT(YES/NO) |
| --- | --- | --- |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |
|       |       | [ ]  Yes[ ]  No |

5. Provide in the space below, information as to the following categories related to the applicant’s business contacts for the state of **Missouri**:

|  | NAME AND ADDRESS | PHONE AND FAX NUMBER(S) |
| --- | --- | --- |
| **REGISTERED AGENT** |       |       |
| **LEGAL REPRESENTATIVE** |       |       |
| **ACCOUNTING SERVICES REPRESENTATIVE** |       |       |
| **BANKING AND FINANCIAL REPRESENTATIVE** |       |       |
| **UNDERWRITER(S)** |       |       |
| **CUSTODIAN OF BUSINESS RECORDS** |       |       |

6. Provide in the space below, information as to the following categories related to the applicant’s **NON-Missouri** business contacts:

|  | NAME AND ADDRESS | PHONE AND FAX NUMBER(S) |
| --- | --- | --- |
| **REGISTERED AGENT** |       |       |
| **LEGAL REPRESENTATIVE** |       |       |
| **ACCOUNTING SERVICES REPRESENTATIVE** |       |       |
| **BANKING AND FINANCIAL REPRESENTATIVE** |       |       |
| **UNDERWRITER(S)** |       |       |
| **CUSTODIAN OF BUSINESS RECORDS** |       |       |

7. State whether any of the securities or debt offerings of the applicant or any of the applicant’s substantial owners have been suspended from trading or have had action taken against them by any regulatory agency:

 [ ]  YES [ ]  NO

 If the answer is “yes”, provide in the space below a detailed statement describing each suspension or action, the date and the final disposition.

| DESCRIBE EACH SUSPENSION OR ACTION | DATE OF INCIDENT | FINAL DISPOSITION |
| --- | --- | --- |
|       |       |       |
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8. State whether the applicant has ever been or currently is a party to a lawsuit:

 [ ]  YES [ ]  NO

 If the answer is “yes”, provide in the space below a detailed list of **all** cases, past and present; and submit copies of all statement of claim, complaints, petitions, judgments or settlements and agreements related to each case listed.

| NAMES OF THE PARTIES | CASE NUMBER | NAME OF COURT AND LOCATION | TYPE AND NATURE OF CASE | DISPOSITION, TERMS OF SETTLEMENT, RESULT OF TRIAL OR RESULT OF ANY APPEAL |
| --- | --- | --- | --- | --- |
|       |       |       |       |       |
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9. Has the applicant ever been involved in any formal or informal process or agreement to adjust, defer, modify, suspend or otherwise work out the payment of any debt?

 [ ]  YES [ ]  NO

 If your answer is “yes”, provide in the space below a statement setting forth all details concerning each debt and the related formal or informal process or agreement.

10. Has the applicant ever been delinquent in the payment of, or in dispute over the filings concerning the payment of, any tax required under federal, state or municipal law?

 [ ]  YES [ ]  NO

 If your answer is “yes”, provide in the space below a detailed list, stating each delinquency.

| TAXING AGENCY AND LOCATION | AMOUNT AND TYPE OF TAX | DATE FILING OR TAX REPORT WAS REQUIRED | DATE THE FILING OR REMISSION WAS ACCOMPLISHED | CIRCUMSTANCES SURROUNDING THE DELINQUENCY OR DISPUTE |
| --- | --- | --- | --- | --- |
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11. Is the applicant a corporation?

 [ ]  YES [ ]  NO

 If the answer is “no”, skip to question 21.

 If the answer is “yes”, provide in the space below

1. The full corporate name, including all former trade or fictitious names, the address and telephone number of the corporate headquarters, and the FEIN numbers for transporting gaming equipment held by each corporation.

1. The date the applicant commenced doing business in Missouri, the name of the state in which each corporation is incorporated, the date of incorporation, and, if a corporation is not incorporated in Missouri, whether the corporation is authorized to conduct business in Missouri.

12. Identify, in the space below present key persons by name, country of citizenship, positions, business and residential telephone numbers, and the annual compensation.

| NAME | COUNTRY OF CITIZENSHIP | POSITIONS | BUSINESS AND RESIDENTIAL TELEPHONE NUMBERS | ANNUAL COMPENSATION |
| --- | --- | --- | --- | --- |
|       |       |       |       |       |
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13. Is the applicant publicly traded as defined by the Securities and Exchange Commission?

 [ ]  YES [ ]  NO

 If your answer is “yes”, provide in the space below the following information.

|  |  |
| --- | --- |
| STATE THE CLASSES OF STOCK AND NUMBER OF SHARES |       |
| STATE THE TERMS, RIGHTS, PRIVILEGES AND OTHER INFORMATION EACH CLASS OF STOCK POSSESSES |       |
| STATE THE NUMBER OF SHARES AUTHORIZED, ISSUED OR OUTSTANDING |       |
| STATE THE PAR VALUE, CURRENT MARKET PRICE AND ISSUE PRICE OF THE SHARES |       |
| STATE THE VOTING RIGHTS PER CLASS OF SHARE (IF THE RIGHT OF HOLDERS OF ANY CLASS OF STOCK MAY BE MODIFIED OTHER THAN BY A VOTE OF A MAJORITY OR MORE OF THE OUTSTANDING SHARES SO AFFECTED, VOTING AS A CLASS, SO STATE AND BRIEFLY EXPLAIN) |       |
| STATE THE EXCHANGE, IF ANY, ON WHICH ANY CLASS OF STOCK MAY BE TRADED |       |

14. Provide in the space below a list of the names, addresses and number of shares held for all holders of 5% or greater outstanding shares.

| NAME | ADDRESS | NUMBER OF SHARES |
| --- | --- | --- |
|       |       |       |
|       |       |       |
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15. List in alphabetical order below, the names and addresses of the **directors,** the number of shares held, if a director owns no share then so state, and if a director has beneficial ownership of any shares.

| NAME | ADDRESS | NUMBER OF SHARES | BENEFICIAL OWNERSHIP OF ANY SHARES |
| --- | --- | --- | --- |
|       |       |       |       |
|       |       |       |       |
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16. List in alphabetical order below, the names and addresses of the **officers,** the number of shares held, if a director owns no share then so state, and if a director has beneficial ownership of any shares.

| NAME | ADDRESS | NUMBER OF SHARES | BENEFICIAL OWNERSHIP OF ANY SHARES |
| --- | --- | --- | --- |
|       |       |       |       |
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17. Attach a copy of the most recent registration statement and annual report filed with Securities and Exchange Commission and any other SEC filings made within the last twenty-four (24) months.

|  |
| --- |
| **[ ] REGISTRATION STATEMENT AND ANNUAL REPORT FILED WITH SECURITIES AND EXCHANGE****ANDANY OTHER SEC FILINGS WITHIN THE LAST 24 MONTHS** |

18. Within five (5) years from the date of filing this application, has there been a change in the beneficial ownership of the equity securities of a corporation, including changes resulting from gift, purchase, sale, exercise of an option to purchase or sell, or grant or receipt of a put or call, on the part of any individual or business entity who is or was a direct or indirect beneficial owner to **ten percent (10%)** or more of any class of an equity security of the corporation, or who is or was a key person of the corporation?

 [ ]  YES [ ]  NO

 If “YES”, provide in the space below for each change of ownership. Also attach all documents concerning the transfer of ownership, a list of assets, the purchase price and any agreements for the purchase of assets by and between the applicant and any previous owner or successor.

| DATE OF TRANSACTION | NAMES AND ADDRESSES OF ANY PREVIOUS OWNER, FEIN AND APPLICABLE TAX NUMBERS | NATURE OF TRANSACTION | PARTIES, INCLUDING THEIR POSITION TO THE TRANSACTION | NUMBER, CLASS AND PERCENTAGE OF OWNERSHIP OF SECURITIES INVOLVED |
| --- | --- | --- | --- | --- |
|       |       |       |       |       |
|       |       |       |       |       |
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|       |       |       |       |       |

19. Is the applicant or any of its substantial owners a business entity **other than a corporation**?

 [ ]  YES [ ]  NO

If “YES”, attach or provide in the space below a detailed description of the organization of each business entity.

If “NO” skip to question 34.

20. Attach a copy of the applicant’s federal tax returns for the past two (2) years.

|  |
| --- |
| [ ]  **FEDERAL TAX RETURNS FOR THE PAST TWO (2) YEARS** |

21. For each business entity, provide in the space below, the name, including all former trade names, assumed names or fictitious names, business telephone number, FEIN numbers held for transporting gaming equipment, location and date of organization, percentage of ownership and dates when participation occurred of each business entity during the five (5) years prior to the filing of this application.

22. (A) For each business entity which is not organized under Missouri law, provide in the space below a statement identifying the law under which it is organized and state whether it is authorized to conduct business in Missouri, and the date the applicant commenced doing business in Missouri.

 (B) If authorization to do business in Missouri has not been obtained, state why it has not been obtained.

23. List below the name and address of each participant in each business entity which is a general partner, limited partner, unincorporated associate or other business entity other than a corporation.

24. Attach copies of any written agreement, constitution or other document creating or governing the applicant’s organization or powers of organization.

|  |
| --- |
| [ ]  **WRITTEN AGREEMENTS, CONSTITUTION OR OTHER DOCUMENT CREATING** **OR GOVERNING THE APPLICANT’S ORGANIZATION** **OR POWERS OF ORGANIZATION** |

25. Are any of the applicant’s **substantial owners** a corporation?

 [ ]  YES [ ]  NO

 If the answer is “no”, skip to question 33.

 If the answer is “yes”, provide in the space below, for each corporation which hold ownership in the applicant.

1. Provide in the form below, a list of individuals which hold ownership in the applicant and are also affiliated with the company that simultaneously hold substantial ownership in the applicant.

| NAME AND ADDRESS OF INDIVIDUAL | INDIVIDUAL’S COMPANY NAME AND ADDRESS | % OWNERSHIP IN APPLICANT BY THE INDIVIDUAL |
| --- | --- | --- |
|       |       |       |
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1. Provide in the form below, a list of all former and current principals (for the past 5 years) of each corporation to include directors, upper management, or individuals owning more than 5% of the corporation.

| NAME OF INDIVIDUAL AND CORPORATION NAME | COUNTRY OF INDIVIDUAL’S CITIZENSHIP | DATE AND POSITION’S HELD (PREVIOUS 5 YEARS TO PRESENT) IN CORPORATION |
| --- | --- | --- |
|       |       |       |
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26. If the applicant is a partnership, provide below a statement setting forth for each partner:

 A. The amount of initial investment, whether in the form of cash, negotiable instruments, property or otherwise;

 B. the amount and nature of any anticipated future investments;

 C. the degree of control over the activities of the partnership; and

 D. the method of distributing partnership profits.

27. Provide in the space below the names and addresses of any individual or other entity who holds a record or beneficial ownership, and as to each, please state the nature and extent of any ownership interest (including beneficial owners), and absolute or contingent voting interest and the terms upon which the interest may be voted; and the percent of ownership.

| NAME AND ADDRESS | NATURE AND EXTENT OF ANY OWNERSHIP INTEREST INCLUDING BENEFICIAL OWNERS | ANY ABSOLUTE OR CONTINGENT VOTING INTEREST AND TERMS UPON WHICH INTEREST MAY BE VOTED | PERCENT OF OWNERSHIP |
| --- | --- | --- | --- |
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28. Is the applicant directly or indirectly controlled to any extent or in any manner by another individual or entity?

 [ ]  YES [ ]  NO

 If “YES”, disclose in the space below, the identity of the controlling entity and a description of the nature and extent of the control.

29. Provide copies of any agreement or understanding which the applicant or any individual or entity has entered into regarding operation of gambling games. If the agreement or understanding is oral, the terms shall be reduced to writing and must be included in the response. Should the agreement or understanding be contingent in nature, the applicant shall disclose the nature of the contingency.

30. Provide copies of any agreement or understanding which the applicant has entered into for the payment of fees, rents, salaries or other compensation whether from the applicant or to the applicant. If the agreement or understanding is oral, the terms shall be reduced to writing and must be included in the response. Should the agreement or understanding be contingent in nature, the applicant shall disclose the nature of the contingency.

31. Attach or provide in the space below a description of all bonus, profit sharing, pension, retirement, deferred compensation or similar plans in existence or to be created by the application and any of its substantial owners, including:

 A. The title or name of the plan;

 B. the identity and address of the trustee of the plan or the person administering the plan;

 C. the material features of the plan;

 D. the methods of financing the plan;

 E. the identity of each class of person who is or will participate in the plan;

 F. the approximate number of person in each class; and

G. the amounts distributed under the plan to each class of persons during the last fiscal year if the plan was in effect during that time period.

32. State whether the applicant or parent company is a subsidiary and whether they currently hold or have ever held a gaming related license issued by any jurisdiction:

 [ ]  YES [ ]  NO

 If the answer is “YES”, provide in the space below, the name of licensee or permit holder, the issuing jurisdiction, the type of permit or license and the dates of issuance and termination, denials, revocations, and expirations.

| NAME OF LICENSEE OR PERMIT HOLDER | ISSUING JURISDICTION  | TYPE OF PERMIT OR LICENSE | DATES OF ISSUANCE AND TERMINATION |
| --- | --- | --- | --- |
|       |       |       |       |
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33. Provide a copy of each license or permit, as listed in the previous question.

|  |
| --- |
| [ ]  **LICENSE OR PERMIT** |

34. State whether the applicant or any of its key persons:

1. Have been convicted of a felony under the laws of Missouri, any other state, the United States or any other jurisdiction; and/or
2. have been convicted of any violation of gaming statutes, section 572.010, RSMo or of similar laws in any other jurisdiction.

35. Provide in the space below, a detailed statement as to whether the applicant or any of its key persons, is or has been a member of the Missouri Gaming Commission, an employee of the Commission, a member of the general assembly, an elected or appointed official of any state, city, county, or political subdivision.

36. Provide in the space below, a detailed statement as to whether the applicant its subsidiary, or parent company has had a gaming license revoked, suspended, restricted, denied, withdrawn or not renewed, which was issued, or which was a license to own or operate a gaming operation in any other jurisdiction.

37. Provide in the space below, a detailed statement as to whether the applicant or any of its key persons hold more than a five percent (5%) direct, indirect or attributed ownership interest in any business entity which holds a license issued under the Missouri Gaming Act, or which has applied or intends to apply for a license under the Missouri Gaming Act.

38. To the extent not disclosed in response to questions 27 A and B, state whether the applicant or any of its key persons have been arrested, detained, charged, indicted, convicted, pleaded guilty or nolo contendere, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or misdemeanor (except for minor traffic violations).

 [ ]  YES [ ]  NO

 If the answer is “YES”, complete the form below.

| DATE | NAME, ADDRESS AND TELEPHONE NUMBER OF THE INDIVIDUAL AND BUSINESS ENTITIES INVOLVED | OFFENSE | NAME AND LOCATION OF THE ARRESTING AGENCY | DISPOSITION |
| --- | --- | --- | --- | --- |
|       |       |       |       |       |
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39. Provide in the space below, a list containing all debt instruments of the applicant or any of its substantial owners, the names, addresses and telephone numbers of all holders of each instrument and the amount of outstanding debt relating to each debt instrument.

| DEBT INSTRUMENTS OF THE APPLICANT OR ANY OF ITS SUBSTANTIAL OWNERS | NAME, ADDRESS AND TELEPHONE NUMBER OF ALL HOLDERS OF EACH INSTRUMENT | AMOUNT OF OUTSTANDING DEBT RELATING TO EACH DEBT INSTRUMENT |
| --- | --- | --- |
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40. Provide in the space below, a list setting forth the names, addresses and telephone numbers of all the applicant’s support facility owners, suppliers and supplier owners.

| NAME | ADDRESS | TELEPHONE NUMBER |
| --- | --- | --- |
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41. Has the applicant made, directly or indirectly, any political contributions or any loans, donations or other payments to any individuals or business entities, whether in the form of money, property, services or any other tangible or intangible thing of value, for the purpose of making political contributions, within five (5) years of filing this application?

 [ ]  YES [ ]  NO

 If your answer is “YES”, complete the form below, for each contribution, loan, donation or other payment.

| DATE AND AMOUNT | METHOD OF PAYMENT | NAME OF THE CANDIDATE OR OFFICEHOLDER | OFFICE SOUGHT OR HELD | ANY REPRESENTATIONS, AGREEMENTS, INFERENCES OR PROMISES MADE REGARDING LICENSURE |
| --- | --- | --- | --- | --- |
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42. Provide in the form below, a list of the names, addresses and telephone numbers of each individual or business entity having an interest of any kind in the applicant or the riverboat gaming operation **not disclosed elsewhere**, and describe in detail the nature, facts and circumstances concerning each individual, business entity and interest.

| NAME, ADDRESS AND TELEPHONE NUMBER OF EACH INDIVIDUAL OR BUSINESS ENTITY | DESCRIBE THE NATURE, FACTS AND CIRCUMSTANCES CONCERNING EACH |
| --- | --- |
|       |       |
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**FINANCIAL INFORMATION**

43. Provide as applicable, a copy of the most current annual report, to include audited financial statements.

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| --- |
| [ ]  **ANNUAL REPORT**[ ]  **AUDITED FINANCIAL STATEMENTS** |

44. Provide as applicable, any partnership agreements.

|  |
| --- |
| [ ]  **PARTNERSHIP AGREEMENTS** |

45. Provide as applicable, any joint venture agreements.

|  |
| --- |
| [ ]  **JOINT VENTURE AGREEMENTS** |

46. Provide as applicable, certified copies of the Articles of Incorporation or corporate charters, and amendments thereto of the applicant and its affiliated companies.

|  |
| --- |
| [ ]  **ARTICLES OF INCORPORATION OR CORPORATE CHARTERS**[ ]  **AMENDMENTS THERETO OF THE APPLICANT AND ITS AFFILIATED COMPANIES** |

47. Provide as applicable, a copy of any fictitious name registration certificates.

|  |
| --- |
| [ ]  **FICTITIOUS NAME REGISTRATION CERTIFICATES** |

48. Provide as applicable, a Certificate of Good Standing from the state of incorporation of the applicant.

|  |
| --- |
| [ ]  **CERTIFICATE OF GOOD STANDING** |

49. Provide as applicable, a Certificate of Good Standing issued by the Missouri Secretary of State indicating the applicant is qualified to do business in Missouri.

|  |
| --- |
| [ ]  **CERTIFICATE OF GOOD STANDING ISSUED BY** **THE MISSOURI SECRETATY OF STATE** |

50. Provide as applicable, Articles of Association filed in Missouri.

|  |
| --- |
| [ ]  **ARTICLES OF ASSOCIATION FILED IN MISSOURI** |

51. Provide as applicable, company bylaws for all companies affiliated with the applicant’s Missouri operations.

|  |
| --- |
| [ ]  **BYLAWS** |

52. Provide as applicable, any contracts, leases, rental agreements or other agreements related to gaming.

|  |
| --- |
| [ ]  **CONTRACTS, LEASES OR RENTAL AGREEMENTS OR****OTHER AGREEMENTS RELATED TO GAMING** |

53. Provide as applicable, any non-gaming lease agreements or contracts in excess of twenty thousand dollars ($20,000).

|  |
| --- |
| [ ]  **NON-GAMING LEASE AGREEMENTS OF CONTRACTS****EXCEEDING TWENTY THOUSAND DOLLARS** |

54. Provide as applicable, any non-gaming lease agreements which have an annualized rental in excess of twenty thousand dollars ($20,000).

|  |
| --- |
| [ ]  **NON-GAMING LEASE AGREEMENTS WHICH HAVE AN ANNUALIZED****RENTAL EXCEEDING TWENTY THOUSAND DOLLARS** |

55. Provide as applicable, any purchase or sale agreements by the applicant (class A or class B), parent, or subsidiary.

|  |
| --- |
| [ ]  **PURCHASES OR SALE AGREEMENTS** |

56. Provide as applicable, any management contracts by the applicant (class A or class B), parent, or subsidiary.

|  |
| --- |
| [ ]  **MANAGEMENT CONTRACTS** |

57. Provide as applicable, any employment contracts by the applicant (class A or class B), parent, or subsidiary.

|  |
| --- |
| [ ]  **EMPLOYMENT CONTRACTS** |

58. Provide as applicable, any stock-bonus or profit-sharing plans by the applicant (class A or class B), parent, or subsidiary.

|  |
| --- |
| [ ]  **STOCK-BONUS OR PROFIT-SHARING PLANS** |

59. Provide as applicable, any shareholders’ agreements made by the applicant (class A or class B), parent, or subsidiary.

|  |
| --- |
| [ ]  **SHAREHOLDERS’ AGREEMENTS** |

60. Provide as applicable, any share certificates (please copy both sides of certificates) of any business entity held by or on behalf of the applicant or its substantial owners.

|  |
| --- |
| [ ]  **SHARE CERTIFICATES (PLEASE COPY BOTH SIDES OF CERTIFICATES)****OF ANY BUSINESS ENTITY HELD BY OR ON BEHALF** **OF THE APPLICANTOR ITS SUBSTANTIAL OWNERS** |

61. Provide as applicable, any lease between the applicant and the home dock city or county.

|  |
| --- |
| [ ]  **LEASE WITH A HOME DOCK CITY OR COUNTY** |

62. Provide in the form below, a list setting forth for each business entity in which stock is held by or on behalf of the applicant or its substantial owners.

| NAME, ADDRESS AND TELEPHONE NUMBER OF EACH COMPANY | CLASS OF STOCK HELD | PURCHASE PRICE PER SHARE | CURRENT MARKET VALUE PER SHARE | NUMBER OF SHARES HELD | PERCENTAGE OF OWNERSHIP |
| --- | --- | --- | --- | --- | --- |
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63. If the applicant or any of its substantial owners is a publicly-held company, provide in the space below, the location and IP addresses of all electronically-filed documents, including, but not limited to: any state or federal registration statements and any other documents filed within the last (3) fiscal years, including, without limitation, proxy or information statements filed pursuant to Section 14 of the Securities Exchange Act of 1934, annual reports (Form 10K), quarterly reports (Form 10Q), periodic reports (Form 8K) and statements prepared in accordance with regulation S-X, under the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935 or the Investment Company Act of 1940. In the absence of electronically-filed documents, the applicant shall attach hard copies of the foregoing documents.

64. Provide as applicable, copies of the following documents for the applicant or its substantial owners, for the last three (3) fiscal years and for the period ending one (1) month prior to the date of application; or where the applicant or substantial owner has not existed as a business entity in any jurisdiction for the last three (3) fiscal years, for the applicant substantial owner or any predecessor company to the extent that these documents exist for the last three (3) fiscal years:

1. Financial statements, certified or authenticated by independent certified public accountants if such certified or authenticated documents have been prepared; and
2. management representatives and lawyer’s contingency letters provided to certified public accountants pertaining to certified financial audits and all reports and correspondence which pertain to the issuance of financial statements, managerial advisory services or internal control recommendations.

65. Provide in the form below, accounts or instruments held by the applicant during the ten (10) year period prior to the date of this application from any bank, savings and loan association, credit union or other financial institution, domestic or foreign, whether such account or instrument was or is held in the name of the applicant, a nominee of the applicant, or was or is otherwise under the direct or indirect control of the applicant, stating for each such account or instrument:

| NAME, ADDRESS AND TELEPHONE NUMBER OF THE FINANCIAL INSTITUTION | TYPE AND NUMBER OF ACCOUNT | RATE OF INTEREST | TIME PERIOD ACCOUNT WAS OR WILL BE HELD | OPENING AND CURRENT OR CLOSING BALANCE |
| --- | --- | --- | --- | --- |
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66. Provide in the form below, a description of the types and levels of insurance which the applicant has obtained or plans to obtain related to the riverboat gaming operation, including, without limitation, liability, casualty, capital loss, fire, theft and worker’s compensation insurance. Also, attach copies of all contracts or other documents providing evidence of this insurance.

| AGENT, BUSINESS ADDRESS AND TELEPHONE NUMBER | AMOUNTS OF COVERAGE | TYPES OF COVERAGE |
| --- | --- | --- |
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67. Provide in the space below, a statement describing in detail the applicant’s plan for auditing of financial transactions and condition of total operations *required* under Section 313.825, RSMo, of the Missouri Gaming Act.

68. Provide in the space below, a statement describing in detail all existing or applied for grants of the applicant or its substantial owners, tax relief or low interest loans given or guaranteed by any unit of government. Also, attach copies of all documents providing evidence of each grant, relief or loan, and copies of all agreements between the applicant or any of its substantial owners and any unit of government.

**OPERATIONS INFORMATION**

69. Provide in the form below, a detailed statement concerning the riverboat gaming operation, including the name and registration number of each riverboat on which gaming will be conducted, the exact location where each riverboat will be docked, the population of the municipality if the place is a municipality, the capacity of each riverboat, the capacity of the gaming area and the proposed games.

| NAME AND REGISTRATION NUMBER | LOCATION WHERE DOCKED | POPULATION OF MUNICIPALITY | CAPACITY OF EACH RIVERBOAT AND CAPACITY OF GAMING AREA | PROPOSED GAMES |
| --- | --- | --- | --- | --- |
|       |       |       |       |       |
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70. Provide in the space below, a detailed statement describing the applicant’s plan for safety on board each riverboat, including but not limited to fire safety and water safety.

71. Provide in the space below, a detailed statement regarding the provision of food, beverages and other concessions to patrons both on the riverboat and, if applicable, at any support facility, identifying the suppliers to be used and goods, services or equipment to be provided by each supplier.

72. Provide in the space below, a detailed description of all support facilities involved in the riverboat gaming operation, including docking facilities, parking facilities, availability of public transportation, land-based hotel and restaurant facilities and each support facility owner.

73. Provide in the form below, a statement listing the names, addresses, telephone numbers and pertinent titles of the applicant’s managerial and supervisory personnel, including, without limitation, the general manager, the casino manager, the slot department manager, the controller, the audit manager, the manager of security, the manager of riverboat operations and the manager of support operations. Also, attach copies of all pertinent documents, job description, instruments, agreements and contracts, and detailed summaries, including the names and addresses of the individuals involved, of all pertinent oral agreements, contracts and understandings. If a position has not been staffed, list the position in the title section and indicate “not yet staffed” in the name and address section.

| NAME AND ADDRESS | TELEPHONE NUMBER | TITLE |
| --- | --- | --- |
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74. Provide in the space below, a detailed statement describing the applicant’s current employment demographics and employee turnover rate for the past two years.

75. Provide in the space below, a description of plans for compliance with the following:

A. The laws pertaining to discrimination, equal employment and affirmative action;

B. policies regarding recruitment, use and advancement of women and minorities;

C. policies with respect to minority contracting;

D. a copy of Equal Employment Opportunity Statement and Policy of the applicant dated and signed by the chief executive officer;

E. a copy of an Affirmative Action Policy Procedures dated and signed by the chief executive officer;and

F. identification of the affirmative action officer including his/her name, title, address and telephone number.

76. Provide in the space below, a description of the method in place to track minority employees and the use of minority business.

77. Provide in the form below, the total number of electronic gaming devices (EGD’s) and table games located on the gaming floor. List each type of EGD, by denomination and each table game by type of game.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |
| --- |
| ELECTRONIC GAMING DEVICES |
| EGD DENOMINATIONS | NUMBER OF EGD’S |
|       |       |
|       |       |
|       |       |
|       |       |
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|       |       |
|       |       |
|       |       |

 |

|  |
| --- |
| TABLE GAMES |
| TYPE OF TABLE GAME | NUMBER OF GAMES |
|       |       |
|       |       |
|       |       |
|       |       |
|       |       |
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|       |       |
|       |       |
|       |       |

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78. Provide in the form below, a statement disclosing the name, address and telephone number of each supplier which will provide gaming equipment or gaming equipment maintenance or repair services to the riverboat gaming operation and list the gaming equipment which will be purchased, leased or rented and the type of maintenance or repair services to be provided by each supplier.

| COMPANY NAME AND ADDRESS | TELEPHONE NUMBER | GAMING EQUIPMENT | TYPE OF MAINTENANCE OR REPAIR SERVICES |
| --- | --- | --- | --- |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

79. Provide in the form below, a continuously docked excursion schedule.

|  |  |
| --- | --- |
| DAY OF WEEK | HOURS OF OPERATION |
| MONDAY |       |
| TUESDAY |       |
| WEDNESDAY |       |
| THURSDAY |       |
| FRIDAY |       |
| SATURDAY |       |
| SUNDAY |       |

80. If the applicant has obtained or must obtain any required governmental improvements for its development, ownership or operation by the applicant or any other entity the following must be disclosed:

A. If the approvals have been obtained:

1. A description of the approval, unit of government, date and documentation;

2. whether public hearings were held and if they were the dates and locations of the hearings. If hearings were not held, the applicant must explain the reason; and

3. whether the unit of government conditioned its approval and, if so, the conditions imposed, including documentation.

B. As to any approvals from governmental units which remain to be obtained provide:

1. A description of the approval;

2. the governmental unit which must approve;

3. the status;

4. the likelihood of approval; and

5. the estimated date of approval.

81. Provide in the space below, a statement as to whether an environmental impact statement is required for the applicant’s facility:

A. If so, the applicant must disclose the status of the assessment and the governmental agency with jurisdiction; and

B. the applicant must provide the commission with a copy of any statements.

82. Provide in the space below, a statement as to whether the applicant is in compliance with all statutes, charter provisions, ordinances and regulations pertaining to the development, ownership and operation of its facility. Also, specify the statutes, charter provision, ordinances and regulations in which it is in compliance. If the applicant is not in compliance, the following information must be disclosed:

A. The reasons why the applicant is not in compliance; and

B. the plans for compliance or exemption from any such requirements.

83.Provide in the space below, the following information, to the extent known for any consultants or other contractors who have provided or will provide management related services to the applicant;

A. Full name including any alias(es) or previous names;

B. current residence and business address and telephone number;

C. the nature of the services provided or to be provided;

D. the qualifications and experience of the consultant or contractor; and

E. a description of the terms and conditions of any agreement including a copy of the agreement.

84. Attach the following release forms behind this check list cover page:

[ ]  Applicant Authorization and Request to Release Information

[ ]  Release of All Claims

[ ]  Affidavit of full Disclosure

[ ]  Verification

**Applicant’s Authorization and Request to Release Information**

|  |  |
| --- | --- |
| To:  |  |
|  | (Leave Blank) |
| From: |       |
|  | (Applicant’s Name) |

1. The applicant hereby authorizes and requests all persons to whom this request is presented having information relating to or concerning the applicant to furnish such information to a duly appointed agent of the Missouri Gaming Commission or Missouri State Highway Patrol, whether or not such information would otherwise be protected from disclosure by any constitutional, statutory or other legal privilege.
2. The applicant hereby authorizes and requests all persons to whom or entities to which this request is presented having documents relating to or concerning the applicant to permit a duly appointed agent of the Missouri Gaming Commission or Missouri State Highway Patrol to review and copy any such constitutional, statutory or other legal privilege.
3. If the person to whom or entity to which this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of same, the applicant hereby authorizes and requests that a duly appointed agent of the Missouri Gaming Commission or Missouri State Highway Patrol be permitted to review and obtain copies of any documents, records or correspondence pertaining to the applicant, including, but not limited to, past loan information, notes co-signed by applicant, checking account records, savings deposit records, safe deposit box records, passbook records and general ledger folio sheets.
4. The applicant hereby makes, constitutes and appoints any duly appointed agent of the Missouri Gaming Commission or Missouri State Highway Patrol the applicant’s true and lawful attorney-in-fact for the applicant in the applicant’s name, place, stead, and on the applicant’s behalf and for the applicant’s use and benefit:
5. To request, review, copy, sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person or entity to whom this request is presented as the applicant might;

(B) to name the person or entity to whom this request is presented and insert that person’s or entity’s name in the appropriated location on this request; and

1. to place the name of the Missouri Gaming Commission or Missouri State Highway Patrol’s agent presenting this request in the appropriate location on this request.

5. The applicant grants to said attorney-in-fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the applicant might or could do, with full power of substitution of revocation, hereby ratifying and confirming all that the attorney-in-fact, or his/her substitute(s), shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

6. This power of attorney ends twenty-four (24) months from the date of execution or at the termination of all licenses issued to the applicant by the Missouri Gaming Commission, whichever occurs later.

7. The applicant has filed the “Application” with the Missouri Gaming Commission. The applicant understands that he, she, it is seeking the granting of a privilege and acknowledges that the burden of proving the applicant’s qualifications for a favorable determination is at all times on the applicant. The applicant accepts any risk of adverse public notice, embarrassment, criticism or other action of financial loss, which may result from action with respect to this application.

8. The applicant does, for itself, its heirs, executors, administrators, successors and assign, hereby release, remise, and forever discharge the person or entity to whom this request is presented, and his/her/ its agents and employees from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claim to have against the person or entity to whom this request is presented or his/her/its agents or employees arising out of or by reason of complying with this request.

9. The applicant agrees to indemnify and hold harmless the person or entity to whom this request is presented and his/her/its agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorney’s fees arising out of or by reason of complying with this request.

10. A reproduction of this request by photocopy shall be for all intents and purposes as valid as the original.

 **IN WITNESS WHEREOF**, I have executed this request at

|  |  |
| --- | --- |
| (City) | (State) |
|  |  |

 on the \_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

|  |  |
| --- | --- |
| Applicant: |  |
| By: |  |

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Notary Public)

 **(Notarial Seal)**

 My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public in and for the County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Release of All Claims**

The undersigned has filed with the Missouri Gaming Commission (commission) certain forms and documents in connection with a written request for licensing by the commission (“Application”). In consideration of the assurance by the commission that no vote on the application will be taken except after a deliberate, intensive and thorough investigation of the undersigned, including, but not limited to, background, successors and assigns, hereby release, remise, and forever discharge the State of Missouri, the commission, its members, agents, and employees, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which the undersigned ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to the application.

I, the duly authorized       (Office) of the undersigned, have read this affidavit and understand its terms. On behalf of and in accordance with the instructions of the undersigned, I execute it with full knowledge that the undersigned will be bound hereby.

 **IN WITNESS WHEREOF**, I have executed this request at

|  |  |
| --- | --- |
| (City) | (State) |
|  |  |

 on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_.

|  |  |
| --- | --- |
| Applicant: |  |
| By: |  |

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Notary Public)

 **(Notarial Seal)**

 My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public in and for the County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Affidavit of Full Disclosure**

|  |  |  |
| --- | --- | --- |
| State of       | ⎬ | SS |
| County of       |

I,       (Officer), being the duly authorized       (Office) of       (Name of Applicant), being first duly sworn upon oath or affirmation, depose and state-

That, except as reported in the applicant’s Application (“Application”), the applicant has no agreements or understandings with any person or entity and no present intent to hold as agent, nominee or otherwise any interest in the Application;

That, except as reported in the Application, the applicant has no agreements or understandings with any person or entity and no present intent to pay any sums of money or give anything of value as, including, but without limitation, a finder’s fee or commission to any person or entity related to the acquisition of any interest in the Application;

That, except as reported in the Application, the applicant has no agreements or understandings and no present intent to pay any sums of money or give anything of value as, including, but without limitation, a finder’s fee or commission to any person or entity related to the sale of any interest in the Application;

That, any funds used or to be used, and any liabilities incurred or to be incurred by the applicant in the acquisition of any interest in the Application were not provided to the applicant or made available to the applicant through the efforts of any person or entity not reported in the Application;

That, except as reported in the Application, no person or entity has provided collateral for or guaranteed payment of any loans made to the applicant which relate to the Application.

I, the duly authorized       (Office) of the undersigned, have read this Affidavit of Full Disclosure and understand its terms. On behalf of and in accordance with the instructions of the undersigned, I execute it with full knowledge that the undersigned will be bound hereby.

|  |  |
| --- | --- |
| Applicant: |       |
| By: |  |

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Notary Public)

 **(Notarial Seal)**

 My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public in and for the County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Verification**

|  |  |  |
| --- | --- | --- |
| State of       | ⎬ | SS |
| County of       |

I,       being first duly sworn upon oath or affirmation, depose and state:

1. I am the individual who is submitting this form;
2. I personally supplied the information contained in this form;
3. I swear (or affirm) that the information contained in this form is true, complete and accurate to the best of my knowledge and belief;
4. I swear that a certified plan and copy of the open information provided in this Application has been filed with the city or county of the home dock; and

5. I swear that I have read and agree to abide by the terms of the Riverboat Gaming Act and any rules promulgated by the Missouri Gaming Commission, including any emergency rules and proposed rules.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Individual’s Signature)

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Notary Public)

 **(Notarial Seal)**

 My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public in and for the County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

85. Attach the following tax release forms behind this check list cover page:

 [ ]  Request for Transcripts of Tax Return

 [ ]  943 Request for Tax Clearance

**IMPORTANT**

**Form 4506-T, Request for Transcript of Tax Return**

**Form 4506-T can be found at the following site:** [**http://www.irs.gov/pub/irs-pdf/f4506t.pdf**](http://www.irs.gov/pub/irs-pdf/f4506t.pdf)

* Do **NOT** mail or fax Form 4506-T to the Internal Revenue Service
* Place a check in box 6b
* Complete and sign the form and submit it to the Missouri Gaming Commission along with your completed application.

**[ ]** Form 4506-T is completed and included with my application.

**IMPORTANT**

**Form 943, Request for Tax Clearance**

**Form 943 can be found at the following site:**

* Do **NOT** mail or fax Form 943 to the Missouri Department of Revenue
* When completing the form:
	+ Under “Reason(s) for Request”, for question number 3:
		- Place a check in box “Other”
		- List “Gaming License”
	+ Under “Authorization”, enter the following information:

|  |  |
| --- | --- |
| Name of Person Authorized to Receive This Information: | Sgt. Jeff Coulson, Missouri Gaming Commission |
| Title: | Public Safety Manager |
| Phone Number: | (573) 526-4080 |
| Address: | P.O. Box 1847 |
| City: | Jefferson City |
| State: | MO |
| Zip Code: | 65102 |
| Email Address of Authorized Person: | Jeff.Coulson@mgc.dps.mo.gov |

* Complete and sign the form and submit it to the Missouri Gaming Commission along with your completed application.

**[ ]** Form 943 is completed and included with my application.

86. Attach the Public Disclosure and Verification form behind this check list cover page:

 [ ]  Public Disclosure

 [ ]  Public Disclosure Verification

**Public Disclosure Section**

**Business Entity, Class A, Class B, Supplier, Applicants and Licensees**

Instructions: All applicants for licensure and all licensees are required to fully and completely supply all information concerning the applicant or licensee, his/her/its products, services or gambling enterprises and his/her/its business holdings requested by this form even though much of the information requested may have been previously disclosed in the application. Where the answer may be derived or ascertained from the business records of the applicant or licensee, the applicant or licensee may attach such records as exhibits and reference the exhibits in the corresponding answer. **This form will be used by the Missouri Gaming Commission to comply with the provisions of the gaming law requiring public disclosure of this information to any person upon request.** Each applicant and licensee has a continuing obligation to update and supplement the information contained in this form. Portions of the form may not apply to each applicant and licensee; however, each applicant and licensee is instructed to complete all sections of the form that apply.

1. State the name, business address and business telephone number of the applicant or licensee.

2. State whether the applicant or licensee is a sole proprietor, unincorporated association, limited partnership, general partnership, corporation, limited liability company, holding company, trust or other business entity. If the applicant or licensee is not an individual, provide information on the state of incorporation or registration, a list of the corporate officers, the identity of all shareholders or participants and the percent of their interest. If an applicant or licensee has a pending registration statement filed with the Securities Exchange Commission, the names of those persons or entities holding interest must be provided.

3. State whether the applicant or licensee or applicant’s or licensee’s spouse or children has an equity interest in any business. If so, identify and describe any business, including, if applicable, the state of incorporation or registration. If applicant or licensee is a corporation, partnership or other business entity, state and identify any other corporation, partnership or business entity in which it has an equity interest, including, if applicable, the state of incorporation or registration. This information need not be provided by a corporation, partnership or other business entity that has a pending registration statement filed with the Federal Securities and Exchange Commission.

1. State whether the applicant or licensee has been indicted, convicted, pleaded guilty or nolo contendere, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or misdemeanor, except for traffic violations. If so, include the date, the name and location of the court, arresting agency and prosecuting agency, the case number, the offense, the disposition and the location and length of incarceration.

1. State whether the applicant or licensee has had any license or certificate issued by a licensing authority in this state or any jurisdiction denied, restricted, suspended, revoked or not renewed and a statement describing the facts and circumstances concerning the denial, restriction, suspension, revocation or non-renewal, including the licensing authority, the date each action was taken and the reason for each such action.

1. State whether the applicant or licensee has ever filed or had filed against it a proceeding in a bankruptcy or has ever been involved in any formal process to adjust, defer, suspend or otherwise work out the payment of any debt including the date of filing, the name and location of the court, the case and number of the disposition.

1. State whether the applicant or licensee has filed, or been served with a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, state or local law, including the amount, type of tax, the taxing agency and the time periods involved.

1. State the names and titles of all public officers or officers of any unit of government, and relatives of those public officials or officers who, directly or indirectly, own any financial interest in, have any beneficial interest in, are the creditors of or hold any debt instrument issued by, or hold or have any interest in any contractual or service relationship with the applicant or licensee.

1. State whether the applicant of licensee has made, directly or indirectly, any political contribution, or any loans, donations or other payments of one hundred dollars ($100) or more, to any candidate or office holder, within five (5) years from the date of filing this form, update or supplement. Specify to whom the payment was made, the amount of the payment and the method of payments.

1. State the name, business address, and business telephone number of the legal counsel, if any, representing the applicant or licensee in matters before the commission.

11. If an applicant for or holder of a Class A or Class B license, provide a description of any proposed or approved riverboat gaming operation. Include in this description:

 (A) A description of the boat specifying total square footage and identifying non-gaming area and gaming area square footage;

 (B) the location of the riverboat gaming operation. Specify the home dock city or county and identify the exact location within the dock city or county where the excursion gambling boat and the other proposed related facilities will be located or actual related facilities are located;

 (C) a statement describing the applicant’s proposed and licensees actual land based economic development;

 (D) a statement specifying the economic impact of this project, including:

 (1) applicant’s anticipated or licensee’s actual number of employees;

 (2) applicant’s projected or licensee’s actual monthly admissions;

 (3) applicant’s projected or licensee’s actual monthly adjusted gross receipts;

 (4) applicant’s projected or licensee’s actual tax revenues to the home dock city or county and to the state, and

 (5) applicant’s proposed or licensee’s actual revenue sharing plans.

 (E) An affirmative action plan. Include in this plan:

 (1) a statement regarding compliance with federal and state affirmation action guidelines;

 (2) a statement regarding minority ownership;

 (3) a statement regarding women ownership;

 (4) a statement regarding minority contracting;

 (5) a statement regarding women contracting;

 (6) a statement regarding minority recruiting, hiring and training for all employment classifications;

 (7) a statement regarding women recruiting, hiring and training for all employment classifications.

 (F) Attach all resolutions adopted by the home dock city or county supporting or opposing your docking and/or landbased economic development or impact plan.

1. If an applicant for or holder of a supplier’s license, provide a description of the product(s) or service(s) to be supplied within the state.

**Public Disclosure Verification**

|  |  |  |
| --- | --- | --- |
| State of       | ⎬ | SS |
| County of       |

I,      , being first duly sworn upon oath or affirmation, depose and state:

1. I am the applicant or licensee submitting this Public Disclosure Section.

2. I personally supplied the information contained in this form.

3. I swear (or affirm) that the information contained in this form is true, complete and accurate to the best of my knowledge and belief.

4. I understand and agree that the Public Disclosure Form will be provided to any member of the public who requests this information from the Missouri Gaming Commission. I further understand my continuing obligations to update and supplement this form if any of the information provided changes.

5. I swear that I have read and agree to abide by the terms of the Riverboat Gaming Act and any rules promulgated by the commission, including any emergency rules and proposed rules.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Individual’s Signature)

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public)

 **(Notarial Seal)**

 My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public in and for the County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_