

BEFORE THE NEVADA GAMING COMMISSION
AND THE STATE GAMING CONTROL BOARD

In the Matter of

MTR GAMING GROUP, INC.

(Approval to share in the revenue from the conduct of off-track pari-mutuel race wagering)

ORDER

THIS MATTER came on regularly for hearing before the State Gaming Control Board ("Board") on October 8, 2008, and before the Nevada Gaming Commission ("Commission") on October 23, 2008, in Carson City, Nevada; and

THE BOARD AND COMMISSION having considered all information pertinent hereto;

IT IS HEREBY ORDERED BY THE NEVADA GAMING COMMISSION UPON THE RECOMMENDATION OF THE STATE GAMING CONTROL BOARD:

1. THAT the following application, as amended and supplemented, has been filed:
 - a. The application of MTR Gaming Group, Inc. for an amendment to its Order of Registration.
2. THAT the Eighth Revised Order of Registration of MTR Gaming Group, Inc., dated November 16, 2006, is hereby amended and restated, in its entirety, by this Order.
3. THAT MTR Gaming Group, Inc., and Mountaineer Park, Inc., dba Mountaineer Racetrack & Gaming Resort, are each granted approval to share in the revenue from the conduct of off-track pari-mutuel race wagering, said approval conditioned as follows:
 - a. That MTR Gaming Group, Inc. shall comply with the provisions of NRS 463.639(1) and NGC Regulation 16.330, only as they relate to the reporting of information or

filing of documents with the Board or Commission, and shall also comply with any requests for additional information made by the Board.

b. That the following information shall be reported to the Board, in writing, within 30 days after the end of the quarter concerning the occurrence or absence of the following:

(1) Any changes in the officers, directors, or key personnel of MTR Gaming Group, Inc. or Mountaineer Park, Inc. who are directly or indirectly engaged in the active administration or supervision of the gaming operations conducted at Mountaineer Racetrack & Gaming Resort and related facilities who earn \$75,000 or more annually.

(2) All gaming related complaints, investigations into alleged misconduct, orders to show cause, and disciplinary actions instituted by, presided over, or in connection with the West Virginia Racing Commission or any gaming regulatory agency (collectively, the "Regulatory Agencies"), involving MTR Gaming Group, Inc., Mountaineer Park, Inc., Mountaineer Racetrack & Gaming Resort or their officers, directors, owners, agents or employees.

(3) All known arrests made of any officer, director, owner, agent, employee or patron of MTR Gaming Group, Inc., Mountaineer Park, Inc.. or Mountaineer Racetrack & Gaming Resort involving gaming misconduct or felony charges in the State of West Virginia. The report shall include the name, position, charge, arresting agency and a brief description of the event.

(4) Any known gaming cheating or theft wherein an arrest was not made.

(5) A copy of the application for licensure to conduct horse racing, and any exhibits or attachments thereto, as provided to any of the Regulatory Agencies.

b. That no agreements approved pursuant to NGC Regulation 26A shall be changed, altered, modified or amended without the prior administrative approval of the

Chairman of the Board or his designee. If the Chairman of the Board or his designee determines that any proposed change, alteration, modification or amendment is substantial, then the approval of the Commission shall be required.

4. THAT MTR Gaming Group, Inc., shall fund and maintain with the Board a revolving fund in the amount of \$25,000 for the purpose of funding investigative reviews by the Board for compliance with the terms of this Order. Without limiting the foregoing, the Board shall have the right, without notice, to draw upon the funds of said account for the payment of costs and expenses incurred by the Board and its staff in the surveillance, monitoring and investigative reviews of all activities, including public offerings, of MTR Gaming Group, Inc., its subsidiaries and any affiliated entities.

ENTERED at Carson City, Nevada, this 23rd day of October 2008.