

WHEELING ISLAND HOTEL-CASINO-RACETRACK

Uniform Player's Club Rules

Program Rules and Requirements

- By participating in the Player's Club Program, participants agree to be bound by these rules and regulations.
- Membership in the Player's Club Program is free.
- Only individual accounts may be opened.
- Participants in the Player's Club Program must be 21 years of age or older, and must present valid government-issued photo identification in order to receive a Player's Club Card.
- Player's Club benefits and rewards are available only to the individual listed on the account (the "Member").
- The Member agrees that Wheeling Island will have the unconditional and unrestricted use of the Member's name and likeness for promotional and advertising purposes without compensation, consideration, notice, review or further consent.
- All decisions regarding the interpretation of Player's Club Program rules, eligibility requirements, reward point accumulations, and other aspects of the Program lie solely within the discretion of Wheeling Island, whose decisions are final and binding.
- Wheeling Island reserves the right to modify or cancel the Player's Club Program at any time, for any reason, subject to any applicable regulatory approval.
- Wheeling Island also reserves the right in its sole discretion to deny anyone application for membership, and to terminate anyone's membership in the Program at any time, without recourse.
- Anyone who has been excluded from gaming facilities, whether through a government program, at their own request, at the discretion Wheeling Island or otherwise is not eligible to participate in the rewards program.
- Any Member who fails or refuses to comply with the rules and requirements of the Player's Club Program, who misuses his or her Player's Rewards Card, or who engages in fraud, misrepresentation or improper conduct as determined by Wheeling Island, is subject to the revocation of his Player's Club Card, the forfeiture of his or her reward points, and termination of membership in the Player's Club Program. Alternatively, in lieu of termination of membership, Wheeling Island may in its sole discretion deduct rewards points from a Member's account and/or demote any participant's account

status, but otherwise permit that person to remain a Member of the Player's Club Program.

- Wheeling Island may suspend membership benefits of participants who have been issued credit and are in default of repayment of that credit, who have had one or more checks cashed and returned for non-payment, or for other forms of delinquent indebtedness owed to Wheeling Island. When the suspended participant brings all payments owed by him or her to Wheeling Island current, Wheeling Island may reinstate the participants' membership benefits and reward points. The decision of whether or not such participant will be reinstated to membership status and his or her reward points will be restored is at sole discretion of Wheeling Island.
- The Player's Club Program is not available where prohibited by law or regulation.
- The Member agrees to receive a one-time SMS text message, in which the Member can opt-in to receive text message notifications about casino promotions. Standard text message and data rates may apply. Wheeling Island is not responsible for any fees charged by the Member's phone provider.

The Player's Club Card

- A Member may not allow any other person to use his or her Player's Club Card. Player's Club Cards are not transferable, and they remain the property of Wheeling Island. Player's Club Cards must be immediately returned to Wheeling Island request.
- Each Member is responsible for selecting a Personal Identification Number ("PIN") for his or her account and must keep this information confidential and secure. Each Member is solely responsible for any activity on his on her account when the account is accessed by using the Member's PIN.
- The Member is also solely responsible for the loss or theft of his or her Player's Club Card, and reward points will not be restored by Wheeling Island.

Reward Points

- The Player's Club Card is used to track gaming play and accumulate reward points by the Member for his or her personal account only. Reward points have no cash value, and reward point balances are not transferable under any circumstances, including upon death and divorce.
- Reward points can be accumulated and redeemed only at Wheeling Island. It is the responsibility of the Member to ensure that his or her Player's Club Card is inserted properly into the gaming machine when used to play electronic games, and that the Player's Club Card is recognized by an employee of Wheeling Island before the Member seeks to accumulate reward points for any other activity that does not involve the use of a gaming machine.

- It is the responsibility of the Member to ensure that his or her account is properly credited prior to leaving a gaming machine, other gaming station, or a self-service terminal. Failure to do so will result in the Member's loss of the reward points that would otherwise have been received.
- Wheeling Island uses reasonable efforts to track a Member's average wager and length of play. However, as a condition of receiving reward points for activities not related to gaming machine play, the Member agrees that such reward points are granted based on the personal observation of Wheeling Island, which may be subject to error. The determination of Wheeling Island as to the amount of reward points to be credited to the Member's account under such circumstances will be final and binding.
- Reward points will not be earned in connection with tournament play or any "free play" (including free play coupons, vouchers, promotional chips or free play downloaded to gaming machines), unless expressed indicated by Wheeling Island to the contrary.
- All reward points earned by a Member with respect to his or her Player's Club Card are subject to review and verification. Wheeling Island reserves the right, at its discretion, to adjust a Member's Player's Club account status due to computer error, machine malfunction, operator error, fraud or other misuse of his or her Player's Club Card.
- Reward points remain valid as long as at least one (1) reward point is earned every six (6) months. If no reward points are earned during any a six-month period, the entire reward point account balance will expire. In addition, Wheeling Island reserves the right to expunge any accumulated reward points and to close any account that has been inactive for a period of three (3) months or more.