



STALLION RESTRICTION CONDITION

(EXCLUDED STALLIONS ARE LISTED BELOW)

THIS CONDITION APPLIES TO SIRES AND THEIR FOALS CONCEIVED WHEN THE SIRE IS FOUR YEARS OLD, IT DOES NOT APPLY TO SIRES OR THEIR FOALS IF THE FOAL IS CONCEIVED WHEN THE SIRE IS FIVE YEARS OLD OR OLDER.

Beginning with foals of 2017 and continuing thereafter, all foals conceived by a sire less than five years of age WILL NOT BE ELIGIBLE to be nominated to or race in any stakes in which this Stallion Restriction Condition (SRC) is in effect unless the sire is exempted from this condition by the Sponsors by meeting one or more of the following exemptions:

- (1) The Stallion serviced mares as a four-year-old and started a minimum of six pari-mutuel races from April 1 forward in its four-year-old racing season or;
- (2) The Stallion develops a condition while in training that prevents him from racing competitively in at least six pari-mutuel races in his four-year-old season and a licensed veterinarian of the Stallion Owner's choice ("Owner", which includes all registered owners at the time, as well as lessee(s) or managers) has certified to the Sponsor that in his/her opinion, the Stallion in question would be or was unfit to race competitively in at least six pari-mutuel races in its four-year-old season due to unsoundness or another serious medical condition. That certification must be in writing and accepted by the Sponsor in writing prior to the Stallion commercially servicing any mares. The Sponsor reserves the right to have the Stallion in question subsequently examined by licensed veterinarians on staff at a university veterinary school in proximity to the physical location of the Stallion for confirmation or rejection of the prior findings regarding the Stallion's fitness to race at age four. The confirmation or rejection by the university staff will be accepted as final regarding the eligibility of the progeny of the Stallion in question. The Sponsor shall bear the full expense of the university veterinary school examination of the Stallion and written certification or their opinion of the fitness of the Stallion in question. It is strongly advised that the above written acceptance by the Sponsor be received by the Owner of said Stallion prior to booking any mares to the Stallion in order that the eligibility of the Stallion's foals is determined for all affected parties. The Owner of the Stallion shall solely be responsible for notifying the Owner(s) of mares booked to breed to the Stallion as to the eligibility, or lack thereof, to any and all races affected by this SRC, or;
- (3) The Stallion did not start in at least six (6) pari-mutuel races in its three-year-old season, or;
- (4) The Stallion did not start after August 1 of its three-year-old season, or;
- (5) The Stallion did not earn more than \$500,000 in its three-year-old season (including any foreign earnings as calculated by the U.S.T.A.).

Any and all decisions of the Sponsor ("Sponsor" is defined as all entities conducting the race, any party that adds funds to the race, and the Racetrack where the race is conducted) as to the eligibility of a foal to race in any particular race shall be final and not subject to any appeal to the Sponsor, to any administrative agency or to any court of competent jurisdiction. By nominating and entering a horse to race in any race in which this SRC is a condition of the race, both the Owner of the nominated foal and the Stallion Owner hereby acknowledge and agree that any and all appeal rights in law or equity that such Owners may have with respect to the determination of the Sponsor are hereby irrevocably waived and terminated.

By nominating and entering a horse to race in any race which is subject to this SRC, both the Owner of the nominated foal and the Stallion Owner hereby shall indemnify and hold harmless the Sponsor and its officers, directors, employees, agents, and representatives against any loss, damage, expense (including reasonable attorney's fees and court costs) or other liability suffered or incurred by the indemnified party by reason of or related to or in connection with any determination of the Sponsor as to the eligibility of any of the subject foals to race. This indemnification applies to any successor owner of the nominated foal, to the breeder of the nominated foal, to the owner of the sire or dam of the nominated foal, or to any other party purporting to have an interest in the eligibility of the nominated foal.

The Sponsor reserves the right to amend any or all of the above conditions and exemptions as it deems necessary in its best business judgment.

The age of all nominated foals is subject to U.S.T.A. foaling date rules.

ARTSPEAK (Foals of 2017)