

**The following letter was received from
Michael R. Pieczonka, General Counsel & Ethics Officer at the Illinois Racing Board
in regard to the 2018 Race Dates Applications and “ex parte” rules:**

Ladies & Gentleman –

As you know, the 2018 Race Dates Applications for 2018 have been received and a contested hearing has been waived, however, the “ex parte” rules still apply. Please see below:

Please be advised that, pursuant to IRB Rule 205.120(a), “After service of the notice of License Hearing on the parties, and until such time as a formal written Dates Order is executed by the Board, any communications, directly or indirectly, in connection with any matter regarding the award of racing dates, between any Board member, Racing Board employee or hearing officer, with any party or representative of any party to the License Hearing, shall be considered ex parte pursuant to Section 10-60(a) of the IAPA [the Illinois Administrative Procedure Act].” Per IRB rule 205.20(a), the Notice of the License Hearing was provided by Mickey yesterday (June 20, 2017) to the Organization licensees “at least 30 days prior to the application deadline.” Pursuant to statute, the Dates Order must be executed by October 15, 2017. Here is a link to IRB Rule 205:

<http://www.ilga.gov/commission/jcar/admincode/011/01100205sections.html>

Note, any written waivers received by Organization Licensees does not waive the “ex parte” communication provisions of the Ethics Act (5 ILCS 430/5-5), which applies to interested parties and others.

Please feel free to contact me with any concerns and thank you for your efforts.

Best regards,

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