

TERMS AND CONDITIONS
FOR 2011 MARYLAND MILLION STALLION NOMINATIONS

1. For a Maryland stallion to be nominated for the 2011 breeding season, at least one-half of the total nomination fee must be delivered by, or received in an envelope postmarked no later than, December 31, 2010 .
2. The total nomination fee as reported on this form should equal the 2011 advertised stud fee or, if not advertised, the prevailing fee paid by third parties. Under no circumstances shall the nomination fee be less than \$500 or greater than \$20,000, regardless of stud fee.
3. Stallion nominations paid in full by December 31, 2010 are entitled to a discount of ten (10) percent. Example: A stallion with a stud fee of \$1,000 can be nominated for \$900 if paid by the December 31, 2010 deadline.
4. If a stallion owner/nominator pays only one-half of the total fee by December 31, the entire balance shall be due by June 30, 2011 . Any balance unpaid after that date shall be subject to an automatic ten (10) percent late charge.
5. If a nomination fee is based on a reported stud fee that is less than the advertised or prevailing fee, the stallion owner/nominator will be given 30 days a) to confirm the accuracy of the reported stud fee, b) to pay the additional required to bring the initial nomination fee to half the level set by Maryland Million Ltd., or c) to cancel the nomination and receive a refund of any amount paid over \$250. Failure to resolve any dispute will result in automatic cancellation. A minimum of \$250 shall be non-refundable under any and all circumstances.
6. If a stallion owner/nominator fails to pay the whole nomination fee, plus applicable late charges, by December 31, 2011 , the stallion shall be suspended. Progeny conceived in the 2011 breeding season will not be eligible for nomination unless all past-due 2011 -season payments are made by December 31, 2011 .
7. Stallions suspended in 2010 for non-payment may be nominated for the 2011 breeding season. Nomination fees paid in 2010 , except for the \$250 non-refundable minimum, shall be either refunded or credited toward their 2011 nomination fees.
8. There are no procedures for supplementary nominations to the Maryland Million. Unless Maryland stallions are new (see #9) or nominated by December 31, 2010 , their foals conceived in 2011 (born in 2011) will not be eligible for nomination.
9. Stallions going to stud in Maryland for the first time after December 31, 2010 , whether just off the race track or moving in from another state, may, at the discretion of Maryland Million Ltd., be permitted to be nominated for the 2011 season.
10. Maryland Million Ltd. reserves the right to postpone or change the conditions of all or any part of the Maryland Million program without any liability. Maryland Million programs may be canceled without notice and Maryland Million Ltd. shall have no liability except to make distribution of funds in the form of purses and awards less administrative expenses.
11. Maryland Million stallion nominator awards will be paid to the owner indicated on this form when 2011 Maryland-conceived progeny of stallions listed finish first, second, third or fourth in any Maryland Million restricted or premium race. These stallion nominator awards are independent of any other Maryland stallion award program.
12. In the event that the progeny of any nominated stallion are ineligible for any reason whatsoever to run in Maryland Million races, no refunds will be paid to stallion nominators. Stallion nominations are made with the express understanding that no assurances with regard to entry of progeny in any Maryland Million races, beyond eligibility for nomination to the program, are being given.
13. Maryland Million races shall be run in compliance with the racing rules and regulations of the Maryland Racing Commission. Maryland Million Ltd. shall have no liability for the actions of any officials or employees of the track where such races are held or for any matter under the track's control. Purse and award payments shall be made to the owners or lessees recognized as such by the track and the Maryland Racing Commission.
14. Maryland Million Ltd. reserves the right to broadcast, televise or record Maryland Million races and the activities incident to them, and to exploit same by any means. Maryland Million Ltd. also reserves the right to use the names and likenesses of nominated stallions and their nominated progeny in its promotion and advertising in any manner deemed appropriate.
15. The nominator grants his consent to be photographed without remuneration, and agrees to obtain such consent from his employees, agents and associates when and if required.
16. The nominator understands and consents that use by him of the name or logo of Maryland Million Ltd. shall be in accordance with the rules established by Maryland Million Ltd. The nominator agrees that advertising a stallion as nominated to the Maryland Million program for the 2011 breeding season shall constitute a commitment to nominate for that breeding season.
17. Maryland Million Ltd. makes no representations or warranties as to benefits being realized as a result of participation in the Maryland Million program. Maryland Million Ltd. shall not be liable if any benefits anticipated by a nominator are not realized for any reason whatsoever.
18. Maryland Million Ltd. is a trade association and, accordingly, nomination payments are not deductible as charitable contributions for federal income tax purposes but may be deductible as business expenses.
19. The purpose of Maryland Million Ltd. is to improve business conditions relating to Thoroughbred breeding and racing. Foal and stallion nominators are considered members of the association.