

EXHIBIT R
STIPULATION OF DISMISSAL

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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: :
In re: : Chapter 11
: :
THE NEW YORK RACING ASSOCIATION INC., : Case No. 06-12618 (JMP)
: :
Debtor. : :
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THE NEW YORK RACING ASSOCIATION INC. : Adv.Pro. No. 06-01957 (JMP)
: :
Plaintiff, : :
: :
v. : :
: :
GEORGE E. PATAKI as GOVERNOR : :
OF THE STATE OF NEW YORK, ET AL. : :
: :
Defendants. : :
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**NOTICE OF DISMISSAL PURSUANT TO RULE 7041
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

In accordance with that certain Modified Third Amended Plan of Debtor Pursuant to Chapter 11 of the United States Bankruptcy Code, dated April 28, 2008, of the above-captioned debtor, and that certain Settlement Agreement, dated as of September 12, 2008, by and among The New York Racing Association Inc., The New York Racing Association, Inc., The State of New York, The New York State Non-Profit Racing Association Oversight Board, and The New York State Division of the Lottery, and pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure, the above-captioned adversary is dismissed, with prejudice.

Dated: New York, New York
September 12, 2008

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