

Update from call with Governor Cuomo's Office attended by DHC, Erik Beard, and Steve Gentile

All –

For those of you on the call today (Tuesday November 24), this is a recap of what was discussed. For those of you who could not make the follow-up call today, please review the below and let us know if you have any questions.

Overall, the call went well. The Governor's office shared the following:

- Later today/tomorrow they will be speaking with the Empire State Development (ESD) (Agency that issues guidelines) and see what, if anything they can share or provide us with this that would give us an idea of what guidelines may look like (understanding that they would be subject to change).
 - The Governor's office will follow up with DHC upon conclusion of that conversation with ESD.
- Doctors from the Department of Health (DOH) participated on our call as it was evident that they continue to focus on public health and the current spread
 - They were appreciative of the industry knowledge presented on today's call
- The Governor's office, along with DOH, reiterated the desire to do an on-site tour and see in real time the steps taken to ensure health and safety.
- The Governor's office asked industry-specific questions – in terms of thought given into what types of rides and attractions were feasible during these teams.
 - Eric and Steve provided very informative answers, and more importantly talk of how proactive the industry has been all along going back and anticipating a different season for this past summer.
- The State is looking at reopening as well as fiscal assistance on parallel tracks. Focusing federal bailout dollars and looking at state programs to industries impacted most by the pandemic, particularly those not yet re-open.

Takeaways:

- State is still very much focused on the pandemic and this current wave we are in. Everything else is clearly taking a back seat to that, however there is a willingness and understanding to give us something to help us move forward.
 - We hope to have clarity on the something or next steps once The Governor's Office and ESD flush out what, if anything, they can provide to us.
- The State is very aware we want continued dialogue and be a resource to getting an amenable resolution for all and not folks who are threatening litigation. We made clear who we are and who we are not a part of. There was very much an appreciation by The

Governor's office on this point. They appreciated Steve and Eric deciphering the intricacies of a park and the majority of OUTSIDE activities.

Next Steps:

- We will provide follow-up as we hear what comes out of the Governor's and ESD conversation. We are expecting to hear back from them at the conclusion of their meeting.
- We will be working the Governor's office on potential timing and dates for site visits.
- We will hold our weekly call on Thursday, December 3rd at 2pm.
- The Governor's office has continued to offer us bi-weekly check ins and we (DHC) will be coordinating and then sharing when our next call with them will be.

Nick Antenucci
Senior Counsel
Davidoff Hutcher & Citron LLP