

EMPIRE RESORTS INC  
Form 4  
February 24, 2014

**FORM 4** UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Horner Nanette L.

(Last) (First) (Middle)

C/O MONTICELLO CASINO AND RACEWAY, ROUTE 17B, P.O. BOX 5013

(Street)

MONTICELLO, NY 12701

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
EMPIRE RESORTS INC [NYNY]

3. Date of Earliest Transaction (Month/Day/Year)  
02/24/2014

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

\_\_\_ Director \_\_\_ 10% Owner  
\_X\_ Officer (give title below) \_\_\_ Other (specify below)  
SVP, Chief Counsel, CCO

6. Individual or Joint/Group Filing(Check Applicable Line)  
\_X\_ Form filed by One Reporting Person  
\_\_\_ Form filed by More than One Reporting Person

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of Security (Instr. 3)         | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership (Instr. 4) |
|-----------------------------------------|--------------------------------------|----------------------------------------------------|--------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------|-----------------------------------|
|                                         |                                      |                                                    |                                | (A) or (D)                                                        | Price                                                                                         |                                                          |                                   |
|                                         |                                      |                                                    |                                | Code                                                              | V                                                                                             | Amount                                                   |                                   |
| Common Stock, \$.01 par value per share | 02/24/2014                           |                                                    | M <sup>(1)</sup>               | A                                                                 | 6,667                                                                                         | \$ 4.65                                                  | 19,167 D                          |
| Common Stock, \$.01 par value per share | 02/24/2014                           |                                                    | S <sup>(1)</sup>               | D                                                                 | 6,667                                                                                         | \$ 7.5                                                   | 12,500 D                          |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3)     | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | 8. Amount or Number of Shares |
|------------------------------------------------|--------------------------------------------------------|--------------------------------------|----------------------------------------------------|--------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------------|-------------------------------|
| Option to purchase Common Stock (right to buy) | \$ 4.65                                                | 02/24/2014                           |                                                    | M <sup>(1)</sup>               | 6,667                                                                          | <sup>(2)</sup> 06/30/2015                                | Common Stock, \$.01 par value per share                       | 6,667                         |

## Reporting Owners

| Reporting Owner Name / Address                                                                             | Relationships |           |                         |       |
|------------------------------------------------------------------------------------------------------------|---------------|-----------|-------------------------|-------|
|                                                                                                            | Director      | 10% Owner | Officer                 | Other |
| Horner Nanette L.<br>C/O MONTICELLO CASINO AND RACEWAY<br>ROUTE 17B, P.O. BOX 5013<br>MONTICELLO, NY 12701 |               |           | SVP, Chief Counsel, CCO |       |

## Signatures

/s/ Nanette L.  
Horner

02/24/2014

\*\*Signature of  
Reporting Person

Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The exercise of options held by Ms. Horner and the sale of the underlying shares were effected pursuant to a Rule 10b5-1 trading plan adopted by Ms. Horner effective as of December 11, 2013.
- (2) The option fully vested on July 1, 2012.

## Edgar Filing: EMPIRE RESORTS INC - Form 4

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