

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

AARON SIEGEL, JASON COOK,
JOSEPH DELUCA, NICOLE CUOZZO,
TIMOTHY VARGA, CHRISTOPHER
STAMOS, KIM HENRY, AND
ASSOCIATION OF NEW JERSEY
RIFLE AND PISTOL CLUBS, INC.,

Plaintiffs,

v.

MATTHEW J. PLATKIN, in his official
capacity as Attorney General of the State
of New Jersey; and PATRICK
CALLAHAN, in his official capacity as
Superintendent of the New Jersey State
Police,

Defendants.

No. 22-CV-7463 (RMB) (AMD)

RONALD KOONS; NICHOLAS
GAUDIO; JEFFREY M. MULLER;
SECOND AMENDMENT
FOUNDATION; FIREARMS POLICY
COALITION, INC.; COALITION OF
NEW JERSEY FIREARM OWNERS; and
NEW JERSEY SECOND AMENDMENT
SOCIETY,

Plaintiffs,

v.

WILLIAM REYNOLDS in his official
capacity as the Prosecutor of Atlantic
County, New Jersey; GRACE C.

No. 22-CV-7463 (RMB) (AMD)

MACAULAY in her official capacity as the Prosecutor of Camden County, New Jersey; ANNEMARIE TAGGART in her official capacity as the Prosecutor of Sussex County, New Jersey; MATTHEW J. PLATKIN, in his official capacity as Attorney General of the State of New Jersey; and PATRICK CALLAHAN, in his official capacity as Superintendent of the New Jersey State Police,
Defendants.

CERTIFICATION OF JUDITH A. NASON

Judith A. Nason, of full age, upon her oath certifies and says:

1. I am the Executive Director of the New Jersey Racing Commission (“NJRC” or “Commission”), which regulates horse racing, pari-mutuel wagering, and exchange wagering in New Jersey and is responsible for ensuring the integrity of the sport.
2. As the Executive Director, I oversee NJRC staff, who are tasked with regulating horse racing, including the permitting and licensing procedures of horse owners, trainers, drivers, jockeys, veterinarians, and others involved in the sport.
3. As the Executive Director of the NJRC, I have personal knowledge of the material facts of this Certification.

4. The NJRC has broad authority pursuant to N.J.S.A. 5:5-30 to prescribe the rules and conditions under which horse races shall be conducted. The NJRC oversees the licensure of horse owners, trainers, drivers, and veterinarians involved in the sport as well as the issuance of permits for race meetings. Each year, the NJRC issues an order, with conditions, to grant each permit.

5. Current racetracks in New Jersey include Meadowlands Racetrack, Monmouth Park, and Freehold Raceway. Freehold Raceway is owned and operated by private entities. Meadowlands Racetrack and Monmouth Park are owned by the State and leased to private entities, which hold the race permits.

6. Currently, Meadowlands Racetrack requires all patrons entering the racetrack to pass through metal detectors. Monmouth Park and Freehold Raceway do not currently have such a requirement.

7. Allowing unrestricted concealed carry in racing venues would pose a threat to public safety given the sensitive nature of racetracks. Racetracks are sensitive places for several reasons.

8. A racetrack can be a crowded venue, depending on the day. It is a family-friendly locale that is particularly favored by older members of the population. Accordingly, there are frequently many children as well as many older persons present at a racetrack.

9. Moreover, by virtue of the wagering enterprise, emotions run high at the racetrack. Patrons may put large amounts of money at stake and bet for the success of rival horses. The experience of either winning or losing big may place patrons in a heightened emotional state.

10. Given the emotional nature of wagering, the consumption of alcohol at the track, and the money at stake, the racetrack is a place ripe with the potential for conflict.

11. The presence of horses at the racetrack would compound the danger of a shooting, whether intentional or unintentional. Race horses are large, volatile, skittish, and strong. If the race horses were disturbed by the sound of even one gunshot, they could harm jockeys, drivers, workers, and patrons.

12. Moreover, while plainly less important than the threat to public safety, a gunshot fired during a race could disturb the horses which would undermine the integrity of the competition and compromise the wagers placed thereupon.

13. If concealed carry were permitted as a default by any patron at a racetrack, it would undermine public safety at the racetrack and could compromise the integrity of the competition.

14. On January 30, 2023, a Temporary Restraining Order was entered in *Siegel, et al. v. Platkin, et al.* which prevents enforcement of Section 7(a)(17)

of Chapter 131, new legislation prohibiting concealed carry in racetracks. Since that time, the NJRC has learned that the permit holders at all three racetracks, who operate the racetracks privately, have decided to prohibit concealed carry on racetrack premises, including the sportsbook located there.

The foregoing statements are true to the best of my knowledge, information, and belief. I am aware that, if any of the statements are willfully false, I may be subject to punishment.



JUDITH A. NASON
Executive Director
New Jersey Racing Commission

Dated: February 9, 2023