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## **JUDGE RULES ON SECOND LAWSUIT CHALLENGING MERCED COUNTY APPROVAL OF RIVERSIDE MOTORSPORTS PARK**

ATWATER, Calif., February 26, 2008 – Riverside Motorsports Park LLC announced today that a ruling on the second and final lawsuit filed against Merced County and Riverside Motorsports Park, seeking to stop the development of the company's world-class motorsports park and recreation center, was issued by Merced County Superior Court Judge Elizabeth Humphreys. The Company was notified of the ruling by Merced County Counsel, Mr. James Fincher, and Assistant County Counsel, Robert Gabrielle.

The 13-page written decision addressed eleven (11) items related to a complaint that was filed jointly in February, 2007, by the Merced County Farm Bureau and two environmental organizations, San Joaquin Raptor Rescue Center and Protect Our Waters. Of the 11 issues identified by the Farm Bureau (et al), Judge Humphreys ruled in favor of Merced County and Riverside Motorsports Park on ten (10) of the more critical and sensitive environmental-related issues. The Court did cite that the project's Master Plan, a single component of the environmental impact report (EIR), was deficient for not including a copy of the Development Agreement and Community Benefits Agreement between Merced County and Riverside Motorsports Park as part of the overall document.

Addressing the Development Agreement and Community Benefits Agreement, Riverside Motorsports Park CEO, John Condren, stated, "Both the Development Agreement and Community Benefits Agreement exist in draft format and have been reviewed by both the County and Riverside Motorsports Park. They were not included in the Final EIR under the direction of Merced County, who advised us that these documents would be included in the second phase of the entitlement process. Because these agreements already exist, we anticipate that the County and RMP's management team can quickly complete these agreements and include them in a recirculated EIR. We do not see this requirement incurring any delay in the project; rather, we consider the 10 pages of the Court's comments and its decisions on the 10 important environmental issues as an overwhelming verification that no environmental issues were overlooked or under-studied, and that the Riverside Motorsports Park EIR is a solid and defensible document."

*(more)*

The Riverside Motorsports Park EIR, which was completed in compliance with requirements of the California Environmental Quality Act (CEQA law), and certified and approved by the Merced County Board of Supervisors on 12 December 2006, is more than 10,000 pages long. The record of documentation supporting the County's approval of the project is nearly 50,000 pages long. Today's ruling will require that the project's EIR, with the addition of the Development Agreement and Community Benefits Agreement, be resubmitted to Merced County for re-approval.

This was the second legal challenge against Merced County's approval of the motorsports project. In September, 2007, a separate suit filed by San Joaquin Raptor Rescue Center and Protect Our Waters was dismissed by Merced County Superior Court Judge John D. Kirihara.

"I believe that everyone involved in the environmental studies within Merced County and Riverside Motorsports Park, as well as the many contract engineers and environmental specialists involved in our project's EIR knew, all along, that the studies, datapoints and alternatives covered in the report were comprehensive and more than legally adequate for CEQA. Merced County went far beyond CEQA requirements in certifying the EIR and approving the RMP project," commented Mark Melville, RMP's Vice President of Operations and liaison for the company on government issues.

#### **ABOUT RIVERSIDE MOTORSPORTS PARK**

Riverside Motorsports Park, LLC is a California company dedicated to the development of a world-class motorsports and regional family recreation center in Northern California. Approved for development in Merced County in December 2006, plans for the Riverside Motorsports Park support every form of automobile, truck, motorcycle and kart racing, and club-based and professional motorsports sanctioning organizations across the United States. The 1,200-acre park will feature eight different tracks in one landscaped, park setting, including:

- 3.5-mile, multi-configuration road course for sports cars, endurance and open-wheel racing
- 5,000-foot drag strip
- Integrated 1/3- and 1/2-mile, banked paved oval tracks for stock cars and sprint cars
- 3/8- and 1/8-mile integrated dirt oval tracks for motorcycle, stock car, sprint and midget racing
- 3/4-mile, multi-configuration kart course for sprint and shifter karts
- 1/2-mile motocross and BMX course
- 1-mile off-road circuit
- Northern California's first world-class oval speedway (7/8-mile) for major stock car and open-wheel racing series

For more information, visit the company's Web site at [www.RMP racing.com](http://www.RMP racing.com).

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