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EMPIRE RESORTS INC  
Form S-3/A  
November 03, 2003

As filed with the Securities and Exchange Commission on November 3, 2003

Registration No. 333-104541

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SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

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AMENDMENT NO. 3 TO

FORM S-3  
REGISTRATION STATEMENT  
UNDER  
THE SECURITIES ACT OF 1933

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Empire Resorts, Inc.  
(Exact Name of Registrant as Specified in Its Charter)

Delaware  
(State or Other Jurisdiction of  
Incorporation or Organization)

13-3714474  
(I.R.S. Employer  
Identification Number)

c/o Monticello Raceway  
Route 17B  
Monticello, New York 12701  
(845) 794-4100, ext. 478

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(Address, Including Zip Code, and Telephone Number,  
Including Area Code, of Registrant's Principal Executive Offices)

Scott A. Kaniewski  
Chief Financial Officer  
Empire Resorts, Inc.  
707 Skokie Boulevard, Suite 600  
Northbrook, Illinois 60062  
(847) 418-3804

(Name, Address, Including Zip Code, and Telephone Number,  
Including Area Code, of Agent For Service of Process)

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Copies to:  
Robert H. Friedman, Esq.  
Olshan Grundman Frome Rosenzweig & Wolosky LLP  
505 Park Avenue  
New York, New York 10022  
(212) 753-7200

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Approximate date of commencement of proposed sale to the public:  
From time to time after this Registration Statement becomes effective.

If the only securities being registered on this Form are being  
offered pursuant to dividend or interest reinvestment plans, please check the  
following box. / /

If any of the securities being registered on this Form are to be  
offered on a delayed or continuous basis pursuant to Rule 415 under the

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Securities Act of 1933, other than securities offered only in connection with dividend or interest reinvestment plans, please check the following box. /X/

If this Form is filed to register additional securities for an offering pursuant to Rule 462(b) under the Securities Act, please check the following box and list the Securities Act registration statement number of the earlier effective registration statement for the same offering. / /

If this Form is a post-effective amendment filed pursuant to Rule 462(c) under the Securities Act, check the following box and list the Securities Act registration statement number of the earlier effective registration statement for the same offering. / /

If delivery of the prospectus is expected to be made pursuant to Rule 434, please check the following box. / /