

Sanko Jamie M.
Form 4/A
January 24, 2019

FORM 4

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

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

OMB APPROVAL

OMB
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(Print or Type Responses)

1. Name and Address of Reporting Person *
Sanko Jamie M.

(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 [NYYN]

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

01/20/2019

4. If Amendment, Date Original
Filed(Month/Day/Year)
01/23/2019

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

____ Director ____ 10% Owner
X Officer (give title ____ Other (specify
below) below)

Chief Accounting Officer

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 Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price
Common Stock, par value \$.01 per share	01/20/2019		M		15,000	A	\$ 0 (1)
					25,000	D	

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

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(9-02)

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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 Acquired (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)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount or Number of Share
Restricted Stock Units	(1)	01/20/2019		A	30,000	(2)(3) (2)(3)	Common Stock, par value \$.01 per share 30,000
Restricted Stock Units	(1)	01/20/2019		M	15,000	(2)(3) (2)(3)	Common Stock, par value \$.01 per share 15,000

Reporting Owners

Reporting Owner Name / Address	Relationships
	Director 10% Owner Officer Other
Sanko Jamie M. C/O MONTICELLO CASINO AND RACEWAY ROUTE 17B, P.O. BOX 5013 MONTICELLO, NY 12701	Chief Accounting Officer

Signatures

/s/ Jamie M.
Sanko 01/24/2019

**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) Each restricted stock unit ("RSU") represents a contingent right to receive one share of common stock of Empire Resorts, Inc. (the "Company"). The Company may also elect to settle the vested RSUs for cash at its discretion.

Mr. Sanko was granted 30,000 RSUs under the Empire Resorts, Inc. 2015 Equity Incentive Plan, as amended (the "Plan"), 15,000 of which RSUs vested immediately on the date of grant and 15,000 of which shall vest on March 20, 2020; provided that the RSUs shall vest

- (2) immediately upon a Change in Control. Subject to Mr. Sanko's continued employment with the Company, the shares of common stock deliverable upon vesting of the RSUs shall be delivered on March 20, 2020. All capitalized but undefined terms have the meanings ascribed thereto by the Plan.

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(3) This Form 4/A is being filed to correct a typographical error in the vesting schedule of the RSU grant made to Mr. Sanko.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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