

Exhibit 4

AMERICAN EXPRESS NYS CARD ACCEPTANCE GUIDELINES



® **Establishment
Services**

**AMERICAN EXPRESS® CARD ACCEPTANCE
OPERATING GUIDELINES
FOR NEW YORK STATE**

These American Express® Card Acceptance Operating Guidelines (“Guidelines”) will provide you with step by step procedures to follow when processing American Express® Card charges. These Guidelines also detail how you can protect your business from fraud as well as how you should handle inquiries and avoid chargebacks.

In accepting the American Express branded Cards, you will also be assured of high quality customer service with 24 hours a day, seven days a week both for you and your customers.

For assistance and information please call **1-800-528-5200** or visit www.americanexpress.com/merchantservices.

American Express has the tools to help you do more...

Do more Business Online: American Express guarantees your citizens a secure online shopping experience with the “On-Line Shopping Guarantee” logo because American Express will not hold Cardmembers responsible for any unauthorized charges made with the Card. You also can manage your account online as described below. You can download all complimentary website logos online as well as order brick-and-mortar point of purchase materials at www.americanexpress.com/government.

Do More Marketing To Your Citizens: American Express offers you a variety of marketing programs that can help you make your citizens aware of your services and new initiatives. These include turnkey programs that provide you with creative customization, printing mailing list selection, postage and mailing services – of one low cost. For more information on any of the marketing programs, simply visit our website at www.americanexpress.com/government.

Do More Management Your Way: American Express provides the tools to help you manage your Government easily and profitably. *SE Workstation* or *Online Merchant Services* are free tools that enable you to receive your American Express financial information and respond to customer disputes electronically.

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2.0 Processing American Express® Card Transactions

2.1 Creating a Charge Record

For every Charge, you must create or complete either a paper or electronically reproducible record of Charge (Charge Record) containing:

- the Card account number and expiration date via an imprinter, Card swipe device or data entry device;
- the date the Charge was incurred;
- the amount of the Charge (which must be the total purchase price of the goods or services purchased or amounts owed to you plus any applicable taxes);
- the Authorization approval code number;
- a mutually acceptable description of the goods or services purchased or amounts owed to you;
- an imprint or other registration of your name, address and the assigned Merchant and/or Location number;
- the Cardmember's signature; and,
- the words, "No Refunds" if you have a no refund policy.

Always keep a copy of each Charge Record in your files for 24 months.

2.2 Card Present Transactions

You have agreed to process Charges electronically. Before processing your very first Charge, make sure your Electronic Data Capture (EDC) terminal or electronic cash register is properly programmed to accept the American Express® Card, then follow the basic instructions that were provided with your equipment.

For electronic processing, your terminal must be able to generate Charge Records as detailed above.

Chargebacks and inquiries cost your business time and money. It pays to strictly follow American Express Card Acceptance procedures and to be mindful that you must:

2.2.1 Verify that the Card is not visually altered or mutilated.

The signature panel contains wavy lines that should not appear to be painted over or erased. American Express Cards are issued with the account number and a 3-digit Card Security Code (3CSC) printed in the signature panel.

2.2.2 Verify that the Customer is the Cardmember.

The American Express Card is not transferable. Only the Cardmember may use the Card.

2.2.3 Verify the Card's valid date.

The Card may not be used after the last day of the last month embossed on the Card. Call American Express if the Card is presented after the expiration date.

2.2.4 Create a Charge Record.

Create a Charge Record as described above. If you process American Express charges electronically, you must swipe the Card through the slot in your terminal. (If you submit paper charge forms, take an imprint of the Card.) You must transmit full magnetic strip data with your authorization request. All data from the magnetic strip must be received by American Express for a transaction to be classified as swiped.

If you have retained a third party (processor) to process/authorize your transactions, you are responsible for any errors, omissions, delays, or expenses caused by the processor. If the magnetic strip is unreadable, and you have to key the transaction, an imprint of the Card must be taken to validate Card presence in that transaction. Accurately key the account number and expiration date, and obtain the 6-digit Authorization Approval Code.

2.2.5 Verify the account number.

Verify that the account number embossed on the front of the Card matches both the number printed on the back of the Card and the number printed on the terminal receipt or display.

Compare the signatures.

Make sure that the Cardmember's signature on the Charge Record reasonably matches on the back of the Card and is the same as the name embossed on the front of the Card and printed on the receipt. Please remember, if the customer presents you with an unsigned American Express Card, ask the customer to sign it. Then ask for an official form of identification, and compare the signature to the one on the official form of ID. If the customer refuses to sign the Card, the transaction should not be completed.

2.2.6 Obtain Authorization.

Obtain a 6-digit *Authorization Approval Code*. To reduce fraud and credit losses, American Express has a 100% Authorization Policy. (Authorization must be obtained for *all* submitted charges. This is required on every transaction regardless of dollar amount charged to American Express.) **If you cannot obtain Authorization via the card swipe, call 1-800-528-2121 to obtain Authorization.**

2.2.8 Return the Card, Charge Record copy and receipt.

Return the Card, terminal receipt, and the appropriate charge record copy to the Cardmember. It is recommended you keep the customer's Card information *confidential* and store receipts in a *secured* area. Only print a "subset" of the Card number, and exclude the expiration date and merchant account number so that this information does not print on the terminal receipt. Any Card information that is discarded should be shredded or destroyed.

2.3 Avoiding Fraud – Card Present Transactions

Each year, millions of dollars are lost due to fraudulent use of charge and credit cards. You can protect yourself by following the basic guidelines of Card acceptance and

Authorization as set forth above in Sections 2.1 and 2.2.
Remember:

- The American Express® Card must be presented for all in-person Charge requests.
- If you have electronic Authorization capabilities, always, “swipe” the Card through the electronic data capture terminal.
- Validate that your business and processor, if applicable, are submitting all the magnetic stripe information required by American Express.
- Always compare the account number on the front and back of the presented Card with the account number on the printed receipt dispensed from your terminal or cash register.
- Cardmember signature is required on the printed receipt for all in-person transactions. The signature on the receipt must match the name on the front of the Card and the signature on the back of the Card.
- Expiration date is required for all methods (electronic, keyed or manual) of Authorization request.
- American Express Cards are non-transferable. Only the Cardmember may use the Card.
- If you process Charge requests manually, or the magnetic stripe on the back of the Card is unreadable, the following steps should be followed:
 - Key the transaction and expiration date into the terminal for Authorization approval. Always get a Voice Authorization.
 - Obtain an imprint of the Card on a paper Charge Record that meets American Express requirements.
 - Ask the Cardmember to sign the paper receipt and compare signatures.

General Fraud Prevention Tips:

- Ensure that you and your employees know and understand these basic Card Acceptance and Authorizations procedures.
- Use electronic Authorization and automated services, such as Automated Address Verification, offered by American Express whenever possible.
- In face-to-face transactions, be alert to Cards that visibly look altered, damaged, or suspicious.
- Whenever you suspect fraud, call Authorizations at: 1-800-528-2121.

2.4 Card Not Present Transactions (Payments/Orders via Mail, Telephone, Internet and/or Payment Kiosk)

For Charges in which the Card is not present at the point of purchase or payment, such as those Charges made by mail, via telephone, via the Internet or at unattended locations (payment kiosks), you must:

2.4.1 Create a Charge Record.

Create a Charge Record as described above in Section 2.1, except that the signature line shall reference the payment method (mail order, telephone order, Internet order, etc.).

2.4.2 Obtain Authorization.

Obtain a 6-digit *Authorization Approval Code*. To reduce fraud and credit losses, American Express has a 100% Authorization Policy. (Authorization must be obtained for *all* submitted charges. This is required on every transaction regardless of dollar amount charged to American Express.)

Remember, if you accept the American Express® Card for sales or payments made by one method (e.g., sales/payment made in person), then you must accept the American Express Card for all methods of sales or payments.

2.5 Avoiding Fraud – Card Not Present Transactions

2.5.1 Mail/Telephone Transactions

To protect yourself from chargebacks, be sure to:

- Obtain signed proof of delivery to the Cardmember's billing address.
- Designate "Mail Order" or "Phone Order" on the signature line of the Charge record.
- Use Automated Address Verification to confirm customer's billing address.
- Ensure that you use a freight carrier or delivery service that does not permit re-routes of deliveries and that requires customer signature. You are responsible for ensuring delivery to the appropriate customer billing address.

- To ensure higher levels of risk protection and service quality, always establish and use a separate Merchant account number for your mail, telephone, Internet and payment kiosk Charge requests. Always submit these charges under a separate Merchant Number.
- Follow the standard Card acceptance procedures for in-store purchases if the Cardmember picks up the merchandise/goods from you.

Remember:

- Billing address verification is a check and not a guarantee that the Charge is valid. When the billing address is confirmed, but delivery will be to a different address, you may help reduce the risk of fraud and chargebacks by calling the Cardmember to validate the order.
- Charges cannot be submitted for payment until the goods are shipped.
- If you ship more than 30 days after the original Authorization, you must call to obtain a new Authorization Approval Code before shipping the merchandise and submitting the Charge for payment.

2.5.2 Internet Transactions

- To help reduce fraud and customer service costs for Internet transactions, the following Internet Security Guidelines should be reviewed:
- Internet transactions must be secured between you and the Cardmember (e.g., SSL, SET or similar encryption) as required by American Express.
- You must secure all Cardmember data while in your possession (e.g., behind a fire wall).
- Passwords to your Web site should be regularly changed and never set to default status.
- Transactions must be secured between you and your processor.

- When working with a third party processor (FSP), you must ascertain that the processor is capable of processing secure Internet payments.

2.5.3 Payment Kiosk Transactions

To help reduce fraud and customer service costs for self-service terminals:

- Ensure that any type of self-service terminal (payment kiosk, vending machine, pay-at-the-pump, etc.) operated by you is in compliance with American Express magnetic strip data capture requirements.
- Establish and use a separate Merchant Number for your self-service terminal charge requests.

General Fraud Prevention Tips:

- Ensure that you and your employees know and understand these basic Card Acceptance and Authorizations procedures.
- Use electronic Authorization and automated services, such as Automated Address Verification, offered by American Express whenever possible.
- In face-to-face transactions, be alert to Cards that visibly look altered, damaged, or suspicious.
- Whenever you suspect fraud, call Authorizations at 1-800-528-2121.

2.6 How to Avoid Voice Authorization Fees.

American Express charges a fee for each Authorization Approval Code requested by telephone.

Here are some ways you can avoid this fee:

- Process and submit charges electronically.
- Obtain Authorization Approval Codes electronically by swiping the Card.
- Enter the same dollar amount (within \$1.00) over the phone that you initially enter in the terminal when you respond to a “Please Call” message.

- Return our call on the same day if you get a Referral Code when you batch out your terminal.
- For Charges made via mail, telephone, Internet or payment kiosk, obtain the Authorization Approval Code electronically, and when you call American Express for address verification, request address only.

Voice Authorization Fees do not apply to calls you make to American Express for:

- Referrals (response to “Please Call”)
- Fraud calls generated by American Express
- Emergency lodging check-in situations
- Temporarily disabled “Direct Electronic Link” to American Express

If a fee for any of these calls appears on your statement, please contact us at **1-800-528-5200**, and we’ll remove it.

3.0 Prohibited Transactions.

You cannot accept the Card for:

- Costs or fees that are beyond the normal price (plus applicable taxes) for the goods or services provided or payments made, or amounts for which the Cardmember has not specifically authorized payment by the Card;
- Gambling services (including, but not limited to, online gambling), gambling chips or gambling credits;
- Cash;
- Sales made under a different trade name or business affiliation unless approved by American Express on the EVTA-2 Work Order Form;
- Sales by third parties unless approved by American Express on the EVTA-2 Work Order Form;
- Amounts that do not represent a bona fide sale of goods or services at your Location(s) unless such payments are authorized by applicable law; or
- Illegal business transactions.

4.0 Submitting Charges Using Your Terminal

To submit Charges to American Express electronically, follow the basic instructions that were provided with your equipment.

Important Reminder: You must press the “Batch Out” or applicable key on your terminal at least once a day to transmit all American Express Card charges you process. See the manual that came with your terminal for instructions. On extremely busy days, your volume may be greater than your terminal can store before batching out. In those cases, simply increase the number of times you transmit to us.

All charges should be submitted within two days of the goods or services being provided or the payment being made.

5.0 Payment

Under the American Express Card Acceptance Agreement between the State of New York and American Express, payment made by American Express will be made electronically via the Automated Clearinghouse of the Federal Reserve System (ACH). Payment via ACH will be initiated in two (2) business days after your Charge Records are received. If your payment date falls on a non-business day, payment will be initiated on the next day that banks are open for processing ACH payments. You must provide the information we require concerning your account and your bank on the EVTA 2- Work Order Form and you must notify your bank that we may have access to the account.

- Payment via ACH helps you avoid the fee for every payment requiring a manual check.
- Payment via ACH helps you avoid waiting for checks to clear, delays or risks of lost mail and unnecessary trips to the bank.

For more information please call **1-800-528-5200**.

Under the terms of the Card Acceptance Agreement between American Express and the State of New York, you will be paid for the gross amount of your submitted Charges, less any chargebacks or fees relating to telephone authorizations or checks.

You will be invoiced for the Discount, the amount that American Express charges for accepting the Card. Payments pursuant to invoices are due to American Express within thirty (30) days as provided by the New York State Finance Law.

Late payments will be subject to interest as provided by the New York State Finance Law.

6.0 Reporting

American Express' Payment Manager reporting system provides you with a clear, logical and easy to read monthly statement. Payment Manager reports are available via SE Workstation or on the Internet using Online Merchant Services. Simply access the "Reconcile Payments" section at www.americanexpress.com/merchantservices.

Each report contains a summary of your account's activity for the reporting period, as well as details including dates and submitted amounts. Your reports are sorted by Merchant Number or, if you receive payment centrally, they can be sorted by Location Number. If you are paid by check, the report is included with your check.

You can have your Payment Manager Report generated on the day of the month that matches the date of your bank statement, or you can designate any other timing that is best for you. All financial activity for the period chosen will be reflected in the report.

You can select payment reporting by Location if you have multiple locations and receive payments through one account. All financial activity for the month will be reflected by individual location in the report.

Additional reports are available from American Express at an additional cost as set forth in the Agreement between the State and American Express.

7.0 Chargebacks

A chargeback is broadly defined as a financial deduction from your settlement amount. American Express chargebacks can originate from a variety of sources.

In addition to the federal laws that regulate the Cardmember dispute process in the United States, American Express has various business policies that are used to resolve disputes and identify noncompliance chargebacks.

In the event that a Cardmember disputes a Charge made via the Internet where the goods or services were ordered online and electronically delivered online (i.e., software, images), American Express will issue a chargeback immediately and will then provide you with written or electronic notice of the chargeback.

8.0 Notices and Inquiries

8.1 Inquiries

When Cardmembers question items billed to their Card accounts, American Express is required by law to respond within strict time limits. When additional information is required from you to resolve the issue, we will send you an inquiry letter. The letter will provide information to help you research the dispute and will give you specifics on what is required to support your position. To ensure that you retain the right to challenge an inquiry, always respond by the specified date. Time frame

To expedite handling, you may respond to inquiries electronically by using SE Workstation or Online Merchant Services.

8.2 Notices

For notifications, consents, account changes, contact information changes, payments or other communications regarding the operations or payment aspects of your EVTA-2 Work Order Form or this Agreement, please send written notices to:

American Express Travel Related Services Company,
Inc.
Attention: SE Maintenance Unit
1661 E. Camelback
Phoenix, AZ 85016

For notifications regarding any legal aspects of your EVTA-2 Work Order Form or this Agreement, please send written notices to:

American Express Travel Related Services Company,
Inc.
Attention: Establishment Services Law Group
General Counsel's Office, 49th Floor
World Financial Center
200 Vesey Street
New York, NY 10285

For late payment remedy requests, please send written notices to:

American Express Travel Related Services Company,
Inc.
Attention: Accounts Payable
1661 E. Camelback
Phoenix, AZ 85016
Fax: (602) 234-7468

Please remember to include your Merchant Number and/or Location Number, your contact name, telephone number and fax number, and all pertinent information on any Notice.

UNLESS SPECIFICALLY STATED AS A NEW POLICY, THESE AMERICAN EXPRESS OPERATING GUIDELINES DO NOT CHANGE THE TERMS OF THE CARD ACCEPTANCE AGREEMENT BETWEEN

AMERICAN EXPRESS AND THE STATE OF NEW YORK OR ANY TERMS OF YOUR EVTA-2 WORK ORDER FORM. IN CASE OF ANY CONFLICT BETWEEN THE TERMS OF THESE GUIDELINES AND THE TERMS OF THE AGREEMENT, PLEASE REFER TO THE AGREEMENT.

UNDER THE TERMS OF THE CARD ACCEPTANCE AGREEMENT BETWEEN AMERICAN EXPRESS AND THE STATE OF NEW YORK, AMERICAN EXPRESS ACCEPTS CHARGES WITH THE RIGHT OF “FULL RECOURSE”. UNDER CERTAIN CIRCUMSTANCES (SUCH AS WHEN AN AUTHORIZED USER DOES NOT COMPLY WITH THE PROCEDURES FOR CARD ACCEPTANCE), AMERICAN EXPRESS HAS THE RIGHT OF “FULL RECOURSE”. BY CAREFULLY FOLLOWING THE PROCEDURES IN THESE GUIDELINES AND THE AGREEMENT, YOU CAN REDUCE THE CHANCES THAT THE AMOUNT OF A CHARGE FOR WHICH YOU HAVE BEEN PAID WILL SUBSEQUENTLY BE CHARGED BACK.