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EPR Properties Announces Dismissal of Lawsuit Brought by Concord Associates, L.P.

KANSAS CITY, Mo.--(BUSINESS WIRE)-- EPR Properties (NYSE:EPR) today announced that the United States District Court for the Southern District of New York has dismissed a \$1.5 billion antitrust suit against EPR Properties, EPT Concord, LLC, and EPT Concord II, LLC (collectively, "EPR"), Empire Resorts, Inc. and Monticello Raceway Management, Inc. (collectively "Empire"), and Kien Huat Realty III Limited and Genting New York LLC (collectively, "Genting").

EPR and all other defendants moved to dismiss the amended complaint on a number of grounds, including Plaintiffs' failure to plead antitrust injury, failure to plead appropriately tailored product and geographic markets, and failure to plead monopoly power or to allege facts showing that defendants engaged in a conspiracy to monopolize.

On September 18, 2013, in a decision filed under seal, the U. S. District Court dismissed Plaintiffs' entire amended complaint. Specifically, the Court dismissed Plaintiffs' antitrust claims against all defendants with prejudice, meaning that they are dismissed on the merits subject to Plaintiffs' right to appeal, and the Court dismissed Plaintiffs' state law claims without prejudice, meaning that they could be pursued further in a state court.

David Brain, President and CEO of EPR Properties commented, "We are pleased with the Court's decision to grant our motion to dismiss this complaint. It has always been our position that the claim was without merit and we are gratified that the Court has agreed with our argument. "

About EPR Properties

EPR Properties is a specialty real estate investment trust (REIT) that invests in properties in select market segments which require unique industry knowledge, while offering the potential for stable and attractive returns. Our total investments exceed \$3.2 billion and our primary investment segments are Entertainment, Recreation and Education. We adhere to rigorous underwriting and investing criteria centered on key industry and property level cash flow standards. We believe our focused niche approach provides a competitive advantage, and the potential for higher growth and better yields. Further information is available at www.eprkc.com.

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