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bataviadownsgaming.com

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*Creating Revenues
for Racing, State
and Local
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urrent Member of:

*New York State
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WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

August 2, 2022

Erie County Comptroller
Kevin R. Hardwick
95 Franklin Street
Room 1100
Buffalo, NY 14202

Dear Comptroller Hardwick:

We are in receipt of your recent letters covering multiple topics at Western Regional Off-Track Betting (WROTB). We appear to have received your correspondence after it had already been shared with various media outlets and before we were asked to respond, which is surprising and concerning. Regardless, allow me to respond.

As a former Erie County Legislator, you know that each member municipality of WROTB appoints a person to the WROTB board of directors. I believe the current Erie County representative enjoyed your support for his appointment. Our Board of Directors then has a fiduciary responsibility to WROTB.

New York State Racing & Wagering Law Section 516 states, "The monetary transactions of the (WROTB) corporation and the keeping of its books and accounts shall be under the supervision of the board of directors who shall be subject to the general and specific jurisdiction of the state racing board and to audit by the comptroller." The bottom line is that WROTB is governed by a board of directors under the supervision of the New York State Gaming Commission and New York State Comptroller.

As the comptroller of one of our members, I can certainly appreciate your interest in our operations. However, I will not set a precedent where I am sharing internal financial data with an individual who is not part of our statutory governance and/or oversight structure. Therefore, I recommend that you work through Erie County's OTB representative or send WROTB a FOIL request for the information you have requested.

In regards to the hotel purchase, I also suggest you contact the New York State Gaming Commission and State Comptroller who both reviewed the extensive documentation regarding the transaction we submitted and approved the purchase.



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Finally, I might remind you that I invited you to Batavia Downs for a tour and discussion last year and you never responded. I continue to extend that invitation so you do not have to rely on media outlets or your close friend George Maziarz for second-hand information that more often than not is incorrect. Knowing that we share a common interest in facts and truth, a face to face dialogue would be most welcome. I am particularly interested in sharing with you the trend of our revenues from all our operations that we expect will lead to a record amount of money being returned to Erie County and our other members in 2022.

I look forward to hearing from you soon.

Sincerely,

Western Regional Off-Track
Betting Corporation

Henry F. Wojtaszek, President & CEO