

[As considered and approved by Board without change]

RESOLUTION No. 09-02

WHEREAS, the Franchise Oversight Board (“Oversight Board”) was established pursuant to Chapter 18 of the Laws of 2008; and

WHEREAS, the Oversight Board desires to exercise its authority with the diligence and responsibility commensurate with its duties, powers, and functions; and

WHEREAS, pursuant to provisions of Racing, Pari-Mutuel Wagering and Breeding Law § 240, The New York Racing Association, Inc. ("NYRA") is directed to file a copy of its annual audited financial statements with the Oversight Board within 90 days following the close of the fiscal year; and

WHEREAS, NYRA retained UHY, LLP as the successful vendor under a competitive bid, which was approved by the NYRA Board of Directors on October 8, 2008; and

WHEREAS, the Oversight Board has completed a review of NYRA's request;

THEREFORE, the Oversight Board hereby approves NYRA’s retention of UHY, LLP as NYRA's qualified independent certified public accountant for the 2008, 2009, and 2010 annual audits.

Adopted.

Laura L. Anglin
Chairperson
Franchise Oversight Board

Date