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Betting Corporation*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

NEW YORK CITY OFF-TRACK BETTING
CORPORATION,

Debtor.¹

Chapter 9

Case No. 09-17121 (MG)

**SUMMARY OF PROPOSED AREAS OF TESTIMONY TO BE PRESENTED BY
DEBTOR AT THE FEBRUARY 22, 2010 HEARING**

The Debtor, New York City Off-Track Betting Corporation (the “NYC OTB”), hereby provides a summary of the areas of testimony it expects to elicit from Charles Hayward, President and CEO of the New York Racing Association, lead objector in the above-captioned matter. This summary was provided to counsel for NYRA, following its request for such a summary, by email dated February 9, 2010.

¹ NYC OTB’s address is 1501 Broadway, New York, NY 10036. The Debtor’s tax identification number is 13-2664509.

Charles Hayward

Mr. Hayward is the president and chief executive officer of objector New York Racing Association ("NYRA"). As such, Mr. Hayward is an adverse witness in this proceeding, and the Debtor does not know how Mr. Hayward will testify.

The Debtor intends to question Mr. Hayward regarding NYRA's positions over time concerning NYC OTB's filing for bankruptcy protection under Chapter 9 of the Bankruptcy Code. The Debtor also intends to question Mr. Hayward on NYRA's own recent bankruptcy and its plan of reorganization. The Debtor intends to question Mr. Hayward on NYRA's negotiations with NYC OTB before and after NYC OTB's chapter 9 filing. Finally, the Debtor intends to question Mr. Hayward on his statements at New York State legislative hearings, and NYRA's views on how to restructure the NYC OTB.

Dated: February 18, 2010

CRAVATH, SWAINE & MOORE LLP

By : s/ Richard Levin
RICHARD LEVIN (RL 1651)
A member of the Firm

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NEW YORK CITY OFF-TRACK BETTING CORPORATION,	Case No. 09-17121 (MG)
Debtor. ¹	

CERTIFICATE OF SERVICE

I, Paul E. Rosenthal, attorney for New York City Off-Track Betting Corporation, the debtor in the above-captioned and numbered case, hereby certify that on the date shown below, I have caused true, complete and correct copies of the following documents to be served by Federal Express on the persons listed in Exhibit A attached hereto:

- **Summary of Proposed Areas of Testimony of Charles Hayward;**
- **Two additional Exhibits that Debtor May Introduce at the Hearing on Febraury 22, 2010.**

¹ NYC OTB's address is 1501 Broadway, New York, NY 10036. The Debtor's tax identification number is 13-2664509.

Dated: February 18, 2010

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By : s/ Paul E. Rosenthal
Paul E. Rosenthal (PR 9688)

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EXHIBIT A

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