

Richard Levin (RL 1651)
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Attorneys for Debtor New York City Off-Track
Betting Corporation*

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

In re	Chapter 9
NEW YORK CITY OFF-TRACK BETTING CORPORATION,	Case No. 09-17121 (MG)
Debtor. ¹	

**STATEMENT OF NO INTENTION TO FILE COUNTERDESIGNATION OF
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL AND
RESERVATION OF RIGHTS**

New York Racing Association (“NYRA”) filed a Statement of Issues and Designation of Record on Appeal (the “Designation”) in the above-captioned chapter 9 case on April 19, 2010. The Designation was filed in connection with NYRA's Notice of Appeal to the United States District Court for the Southern District of New York entered on April 5, 2010. In the Designation, NYRA set forth the issues to be presented on appeal (the “Issues”) and designated the items to be included in the record.

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

NYC OTB does not intend to file a counterdesignation of additional items to be included in the record on appeal. However, NYC OTB reserves the right to supplement the record if necessary. Further, NYC OTB reserves the right to counterdesignate additional items to be included in the record should NYRA modify, restate or supplement the Issues as described in the Designation.

Dated: May 6, 2010

CRAVATH, SWAINE & MOORE LLP

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

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