



ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

August 1, 2022

Henry Wojtaszek, Chief Executive Officer
Western Regional Off-Track Betting Corporation
8315 Park Road
Batavia, New York 14020

Re: Outside Legal Counsel Retained by WROTB

Dear Mr. Wojtaszek:

I am writing to you in my capacity as Chief Financial and Auditing Officer of Erie County to solicit information from the Western Regional Off-Track Betting Corporation (WROTB) concerning external legal counsel retained by WROTB.

Media accounts and your board meeting minutes indicate that at various points over the past eight years, you have hired numerous outside law firms to perform a variety of functions, including reviews of your health benefits for board directors, purchasing a hotel, and addressing other alleged investigations or reviews of WROTB.

You have also apparently used external legal counsel to contact media outlets, to respond to allegations against your organization by both a former employee and a former WROTB lobbyist. You may also have retained other counsel of which I am unaware. Retention of some of these law firms (and the costs therein) cannot readily be found in your board minutes, although it appears the total amount spent on them far exceeds three-quarters of a million dollars just in the past two years.

I request that you provide information concerning all external legal counsel retained by WROTB since January 1, 2014 to the present. *To avoid any delays or concerns regarding attorney-client privilege, at this time, I am not requesting any details concerning the specific attorneys, their charged hourly rates, number of hours worked, and nature of the work they conducted for WROTB – just the names of the firms and the dates and amounts paid.*

I am sure you will agree that the use of public funds is a serious responsibility, and we all have fiduciary obligations to judiciously use taxpayer monies.

Thank you in advance for your anticipated cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Kevin R. Hardwick".

Kevin R. Hardwick, Ph.D.
Erie County Comptroller

cc: Erie County Legislature
Erie County Executive Mark C. Poloncarz, Esq.
Erie County Fiscal Stability Authority
Francis Warthling, Erie County Director, WROTB
New York State Comptroller's Office
Richard D. Bianchi, Chair, WROTB Board of Directors