



**DRAFTKINGS INC.
AUDIT COMMITTEE CHARTER**





1. Purpose

u ° # Audit Committee) M @ Corporation # # # # # 8 #

2. Statement of Policy

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3. Composition of the Audit Committee

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4. Access, Authority and Funding

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5. Meetings

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6. Minutes

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7. General Policies and Procedures

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8. Regular Functions

A. Selection of Independent Auditors.

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B. Selection of Internal Auditor.

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C. Financial Reporting Issues and Practices and Internal Audit Controls and Procedures.

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D. Review of Annual Audit Plan.

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E. Review Results of the Annual Audit.

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F. Review of Other Quarterly and Annual Reports.

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- (a) *the accounting principles employed in reporting any large or unusual transactions and the possible need to make specific disclosures of material developments,*
- (b) *developments in accounting policies and procedures since the previous filing of such financial statement or report and the effect of these developments may have on the Corporation's financial reporting, and*
- (c) *significant fluctuations in financial statement balances, ratios or statistics.*

G. Review Charter.

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H. Reports to Board of Directors.

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I. Other Oversight Functions.

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- (a) *conduct or authorize investigations into any matters within the Audit Committee's scope of responsibilities. The Audit Committee shall be empowered to retain independent counsel and other professionals to assist in the conduct of any investigation in consultation with the Chief Legal Officer of the Corporation;*
- (b) *review legal and regulatory matters that may have a material impact on the financial statements, related company compliance policies, and programs and reports received from regulators;*
- (c) *establish procedures for the (i) receipt, retention, and treatment of complaints received by the Corporation regarding accounting, internal accounting controls, or auditing matters and (ii) the confidential, anonymous submission by employees of*

