

NY 9A-9539
WGC:tll

1

The following investigation was conducted by Special Agent (SA) [REDACTED] of Manhattan, New York:

b6 -1
b7C -1

On July 28, 1986, a review of the Manhattan, New York Telephone Directory disclosed the following information:

1. Name TRUMP ORGANIZATION, INC.
Address 59 Street and 12 Avenue
Manhattan, New York
Telephone number (212) 586-1395
2. Name THE TRUMP ORGANIZATION
Address 165 East 61 Street
Manhattan, New York
Telephone number (212) 308-1559
3. Name TRUMP PLAZA CASINO HOTEL
Address 575 Lexington Avenue
Manhattan, New York
Telephone number (212) 308-2444
4. Name TRUMP PLAZA CASINO HOTEL
Address 575 Lexington Avenue
Manhattan, New York
Telephone number (212) 838-3338
5. Name HOUSING FUTURES, INC.
Address 1501 Broadway
Manhattan, New York
Telephone number (212) 302-1500

On July 29, 1986, a review of the Coles Crisscross Directory and the New York Telephone Reverse Directory disclosed the following information:

1. Name [REDACTED] FISHMAN
Address EAST, INC.
51 East 42 Street
Manhattan, New York
Telephone number (212) 682-2300

b6 -3
b7C -3

9A-9539-3

NY 29A-13729
SCV/dml

1

The following investigation was conducted by Special Agent [REDACTED] at New York, New York (NY), on June 7, 1986:

b6 -1
b7C -1

A confidential source advised that [REDACTED]

b6 -2
b7C -2
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b6 -2,-3
b7C -2,-3
b7D -2

29A-13729-90

(Mount Clipping in Space Below)

PICKING A WINNER IN N.Y.C.'S GREAT LAND RUSH OF '85

Part 2: Inside the \$1B Coliseum deal

Today The Post provides in step-by-step view of the decision-making process in the city's biggest land deal ever.

By BARBARA ROSS

FROM the beginning, city and MTA officials expected a strong response to their request for proposals (RFP) on the Coliseum site.

Maralia Boyle said that in the five years she has served as Real Estate Director for the MTA, "If I didn't get a call a day from someone interested in the site, it was a slow day."

The RFP was issued last February after more than a year of preparation. The deadline for submitting proposals was May 1.

During the interim, officials got numerous calls from developers with detailed questions about the RFP requirements. In March, they set up a meeting to handle the growing number of inquiries.

"The whole world came to this meeting. That's when we knew we were hot," said Abe Elderman, special assistant to Mayor Koch.

The excitement really boiled over on May 1 when 25 proposals came in — one offering a purchase price that was more than double the appraised value of the property.



Mort Zuckerman, the Boston developer-publisher who assembled the winning package in the Coliseum land rush.

The next step in the process involved a review of the proposals by an eight-member committee.

There were four MTA representatives: Boyle, General Counsel Steven Eolan, George Schoepfer, head of the Triborough Bridge and Tunnel Authority, and Mark Sturz, Boyle's director of community affairs.

The city's four members were Alderman, City Planning Commission Chairman Herb Sturz, Jack Lusk, special advisor to the mayor, and Steven Spinola, president of the Public Development Corp.

Boyle's staff took the first step, making sure that all the necessary documents had been submitted.

Two developers were immediately disqualified because they had not submitted \$100,000 refundable deposits.

Then, Sturz's staff reviewed the plans to make sure they conformed with

all zoning and design requirements. Sturz aide Phil Schneider said most proposals had some problems which could be corrected.

The plan submitted by Bruce Eichner had a more serious flaw: the commercial space was located on top of his residential floors, a no-no in urban zoning.

But, he added, the relatively minor problems with most of the projects soon became irrelevant when the selection committee decided on May 9 to narrow the field to the five top bidders.

New York Coliseum Land Co., a joint venture of Joseph and Robert Bernstein and Kumagai Gumi, a major Japanese construction firm, they proposed to erect an 80-story designed by Swanke Hayden Connell.

The Boston Properties-Salomons Brothers Inc. Their twin towers of 57 and 72 floors would be decked out with a staggered array of greenhouses in a controversial design by Moshe Safdie.

The Trump Organization-H.K. Kalkow & Co. Inc. which submitted two proposals with the same purchase price.

One plan by Helmut Jahn called for a skyscraper octagonal tower with a spiraling, terraced staircase (each step six stories high) on one side. It was dubbed the Busby Berkeley Building.

(Indicate page, name of newspaper, city and state.)

P. 25, New York Post, NY, NY

Date: 8/13/85

Edition:

Tuesday

Title:

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Character:

AK

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Classification:

Submitting Office: NY

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335

The other by Sil Attis was a 10-sided, 137-story tower—symmetrically situated like some kind of telescope on a Gothic-style wedding cake. It would have been the world's tallest building.

• Silverstein Properties, Amermbass Realty Co., Melvin Simon & Associates, Inc. Architects Skidmore, Owings & Merrill called for three traditional buildings—two 43 stories high and one of 63 stories.

The semifinalists had submitted bids ranging from \$324 million to \$477 million. The losers had only been willing to spend between \$175 million and \$295 million.

All the semifinalists had included office, retail and hotel space in varying dimensions. The only proposal with no residential space came from Boston Properties.

At this point, the committee interviewed each developer extensively.

Each was asked, among other things, whether they had firm commitments from tenants to occupy their retail and office space or from hotel chains to run that

part of the operation.

"Zuckerman tells you that he has a commitment from a major tenant, [Mortimer] Zuckerman was the only one who brought the tenant to the table," said Boyle.

"It was a real coup," Biderman agreed.

Zuckerman, co-owner of Boston Properties, had a commitment from Phibro-Salomon Inc. to put its world headquarters in the building. The huge New York investment banking firm would occupy 1.5 million square feet of his office space and create about 2,000 jobs. Accord-

ing to Boyle, this made the Boston Properties proposal stand out among the five.

"You know, you can take that proposal to the bank," she said.

In ensuing weeks, the city and MTA staff met several times with community leaders to get their views.

The Coliseum property is somewhat unusual in that it is covered by three Community Planning Boards—numbers 4, 5 and 7—

which means triple protection or triple trouble, depending on your perspective.

Officials got the clear impression that community leaders liked the traditional look of the Silverstein complex best, but overall, their objections to the other proposals seemed less well defined.

Despite community support for Silverstein's building, officials agreed it was beginning to look like Trump and Silverstein were eliminated.

Attention focused on the two top bidders: Boston Properties, who offered \$353 million for the site, and New York Coliseum Land Co. with \$477 million.

In early June, Boyle said, "some feelers were put out to [Zuckerman-Salomon] to see if there was any movement in the purchase price."

"If they hadn't moved, we probably would have gone with New York Land," she added.

But on June 10, Zuckerman informed the MTA is willing that his bid would leap to \$453.1 million. To help pay for this added cost, he later

adjusted his plan to include some luxury condominiums.

Later that day, letters went out to the two top bidders giving them one last chance to raise the ante.

On D-Day, June 11, Zuckerman raised his bid a smidge to \$453.1 million. New York Coliseum Land Co. didn't budge.

For the next month, the committee focused on the two proposals.

They weighed the merits of their designs, how pedestrian traffic would flow, how the subway complex would be improved, etc.

Schneider said that while there were more design problems with the Bernstein proposal, they could be resolved.

The critical issues centered around:

• Money: Was Kumagai Gumi's financial backing real, dependable, solid?

After all, the designated developer would have to put up a letter of credit for 10 percent of the price—about \$45 million—at the closing. The city could tap that in the event of a default.

The answer from Japan was loud and clear: The enormously rich parent company would stand behind the development.

• Experience: This was the first "starting from scratch" development for the Bernsteins but one of many for Zuckerman.

The Bernsteins have successfully rehabilitated a string of old buildings here, including the old Korvette's store in Herald Square. Could they handle a

development this large and complex?

The issue was never really resolved because the next issue became paramount.

• The comparative economic benefits of each project to the city. Which would produce more revenue in the most reliable fashion?

Officials said the problem with the Bernstein proposal was two-fold:

One, it relied too much on residential and retail use, 34 and 25 percent, respectively, of 2.5 million square feet of space.

In contrast, about 73 percent of the 2.7 million square feet in Zuckerman's proposal would be office space.

Biderman said that from a revenue-raising standpoint, office space is better for the city.

Commercial buildings are assessed at a higher value and thus generate more property taxes and they are subject to other ancillary levies like the occupancy tax, which most condo owners don't pay.

They also tend to generate more higher paying jobs which means more in city income taxes.

The Bernsteins argued that their project's retail space would generate much more in sales taxes and would produce many more low-skill-level jobs desperately needed by the city's unemployed.

The problem with this argument, officials said, is that they were not convinced that the Bernsteins could really fill the retail space.

The brothers tried to reassure them, producing leases for as-yet-unoccupied space in their vertical Herald Center shopping complex.

On June 10, when it asked for one final bid, the MTA again asked the Bernsteins for an identification and/or commitment from an anchor tenant, which had been promised for the retail space.

"They gave us a lot of letters of interest, but none were as solid as the Salomon Brothers," Boyle recalled.

When they did have "solid" promises from prospective tenants, she added, they were for relatively small amounts of space.

On July 10, Biderman gave the Coliseum review committee the clincher — his analysis of the comparative tax revenue.

He estimated that over 15 years, the Zuckerman proposal would generate \$305 million more in terms of real estate, real property transfer, retail and hotel sales, commercial rent, personal and corporate income taxes.

Critical to this analysis, Biderman said, were Philbro-Salomon's vow to rent 1.5 million square feet of space from Zuckerman for 15 years at a cost of over \$1.5 billion, and its plan to create 3500 new jobs.

He estimated that in terms of personal and corporate income tax, for example, the Bernstein project would produce \$279.1 million to \$422.5 million from Zuckerman's.

One reason for the big difference is that Biderman figured on only 2700-3000 new jobs from the Bernstein project, compared to 5500 from Zuckerman's. He also assumed that the latter will be higher paying positions.

"He (Zuckerman) couldn't do it without Salomon, and we wouldn't have committed ourselves to him without [a tenant] of Salomon's caliber," Biderman explained.

Although the Bernsteins are sharply critical of the assumptions in the Biderman analysis, Biderman said he had the accounting firm of Deloitte, Haskins & Sells, among others, review his assumptions and arithmetic, just to be sure.

They gave him the nod by phone.

The same day, one last obstacle was cleared: Mayor Koch and MTA Chairman Robert Kiley signed an agreement that the city would pay the MTA the \$22 million difference between the two bids.

On July 11, Zuckerman got the good news. Finally. Officially. He had made it big in the Big Apple.

THE BIDDERS & THE BIDS

FIFTEEN proposals were submitted for the Coliseum site. Two were not taken seriously because they were not accompanied by a required refundable deposit of \$100,000. The remaining 13 were:

New York Coliseum Land Co. (The Bernstein Bros./Kumogel Gum Co.)	\$477 million
Boston Properties/Salomon Brothers, Inc.	\$353 million
The Trump Organization/H.J. Kalikow & Co., Inc. (2 proposals)	\$331 million
Silverstein Properties/Ameribass Realty Co./Melvin Simon & Assoc., Inc.	\$324 million
Ackerman & Company	\$295 million
Gilbreath-Ruffin Corp./The Lefrak Org.	\$272 million
Rich-Kehner Joint Venture	\$251 million
Hirschfeld Realty/Rapid America Corp./Drexel Burnham Lambert, Inc.	\$250 million
Zeckendorf Co./World Wide Holdings Corp./The Taubman Co., Inc./Oxford Ventures, Inc./Arthur G. Cohen Properties, Inc./Joseph Gindl	\$240 million
Metropolitan Prop. Corp./Columbus Towers Prop.	\$235 million
Bechtel Invest., Inc./Park Tower Devel. Corp.	\$225 million
Prudential Ins. Co. of Amer./Sterling Equities	\$175 million



Four losers in the Great Land Rush of '85, from left: Joseph Bernstein, Abe Hirschfeld, Donald Trump and Larry Silverstein.

Post chart by John Woodruff

The 8 who shouldered the decision



GEORGE SCHOEPFER
T&T chief of city's
toll bridges & tunnels.



JACK LUSK
A top transportation
advisor to Koch.



MARSILIA BOYLE
MTA's respected real
estate chief.



HERBERT STURZ
Powerful head of city
Planning Commission.



STEVEN SPINOLA
Head of city's Public
Development Corp.



MARGARET BOEPPLE
Ex-Koch aide, now
MTA's chief lobbyist.



ABE BIDERMAN
Top mayoral aide on
taxes and finances.



STEVEN POLAN
MTA's general counsel
and tough negotiator.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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OF INVESTIGATION

INBOX.23 (#8765)

TEXT: VZCZCNY0156

PP HQ

NY #0156 2970320

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FM FBI NEW YORK

(P) (I-28)

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TO DIRECTOR FBI PRIORITY

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Public Affs.	
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Director's Sec'y	

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OO:NY

THIS COMMUNICATION IS CLASSIFIED "~~SECRET~~" IN ITS ENTIRETY.

REFERENCE TELCAL FROM SUPERVISORY SA [REDACTED] UNIT/CHIEF [REDACTED]

FBIHQ TO SA [REDACTED] OF THE NYO ON OCTOBER 15, 1987.

IN THE ABOVE REFERENCED TELCAL SSA [REDACTED] ADVISED THAT THE

b1 -1

OCT 15 1987

INT. SEC. DIA
OCT 15 1987

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(S)

PAGE FOUR DE NY 6150 SIF C E T SECTION 1 OF 2

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AFTER SEVERAL ATTEMPTS [REDACTED]

b6 -7
b7C -7
b7D -1

[REDACTED] WAS CONTACTED AND AN

APPOINTMENT TO INTERVIEW WAS MADE FOR [REDACTED]

[REDACTED] WAS INTERVIEWED BY AGENTS OF THE NYC IN THE
PRESENCE OF [REDACTED] COUNSEL AND PROVIDED THE FOLLOWING
INFORMATION: [REDACTED] STATED [REDACTED] HAD NOT MADE THE STATEMENT
ATTRIBUTED TO [REDACTED]
FURTHER STATED [REDACTED] DID NOT KNOW THE NAME OF THE SOUTH KOREAN
PRESIDENT AND WOULD NOT EVEN BE ABLE TO LOCATE KOREA ON A MAP.

b6 -7
b7C -7
b7D -1

[REDACTED] ALSO ADVISED [REDACTED]

BY A

[REDACTED] NAMED [REDACTED]

AND HAD TOLD [REDACTED]

b6 -3,-7
b7C -3,-7
b7D -1

~~SECRET~~

4

1359980-120

PAGE FIVE DE NY 6155 ~~SECRET~~ SECTION 1 OF 2

[REDACTED] THAT [REDACTED] WERE RECEIVING A LOT OF INQUIRIES FROM POTENTIAL PURCHASERS. [REDACTED] TOLD [REDACTED]

THAT ONE OF THESE INQUIRIES WAS FROM AN INDIVIDUAL WHO CLAIMED TO BE

[REDACTED] STATED THAT THE INDIVIDUAL NEVER NAMED [REDACTED] OR THE COUNTRY INVOLVED. ACCORDING TO [REDACTED] THE COMMENT TO

[REDACTED] WAS MADE IN PASSING AND THE INCIDENT HAD OCCURRED FAR ENOUGH IN THE PAST THAT [REDACTED] COULD NOT EVEN REMEMBER THE NAME OF THE INDIVIDUAL WHO CALLED [REDACTED] INFORMED THE INTERVIEWING AGENTS THAT [REDACTED] RECEIVED SO MANY CALLS FROM INDIVIDUALS THAT UNLESS THE INDIVIDUAL WAS A SERIOUS PURCHASER [REDACTED] DID NOT PAY TOO MUCH ATTENTION TO THEIR INQUIRIES.

b6 -3,-7
b7C -3,-7
b7D -1

[REDACTED] SAID [REDACTED] RECEIVED SEVERAL CALLS FROM THE SOUTH KOREAN CONSULATE CONCERNING THE MATTER AND [REDACTED] CONTACTED [REDACTED] ASKED [REDACTED] WHY HE HAD [REDACTED] ACCORDING TO [REDACTED] TOLD [REDACTED] THAT THERE WERE A GROUP OF ASIANS STANDING IN THE LOBBY AS [REDACTED] WALKED OUT AND ONE OF THE ASIANS WAS SPEAKING KOREAN.

b6 -3,-7
b7C -3,-7
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[REDACTED] INFORMED [REDACTED] RECOGNIZED THE LANGUAGE BECAUSE

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S

1359980-121

PAGE SIX DE NY 0156 ~~SECRET~~ SECTION 1 OF 2

[REDACTED] INFORMED [REDACTED]
THAT [REDACTED] STORY WAS INACCURATE. [REDACTED] INDICATED [REDACTED] INTENDED TO
STAND BY IT. [REDACTED] INFORMED THE INTERVIEWING AGENTS THAT [REDACTED]

[REDACTED] HAD AT ONE TIME [REDACTED]

b6 -3,-7
b7C -3,-7
b7D -1

[REDACTED] APPARENTLY ALSO [REDACTED]

[REDACTED] AND DUE TO HIS INACCURATE [REDACTED]

[REDACTED] WAS FORCED TO [REDACTED] FOR THE FIRST TIME IN

[REDACTED] HISTORY. [REDACTED] THINKS THAT [REDACTED] TOOK [REDACTED]

COMMENT ABOUT THE INDIVIDUAL'S CALL CONCERNING AN ASIAN PRESIDENT
AND THE FACT THAT THERE WAS SOMEONE IN THE LOBBY OF THE [REDACTED]
CONDOMINIUM SPEAKING KOREAN, PUT TWO AND TWO TOGETHER AND CAME UP
WITH THREE.

[REDACTED] STATED THAT THE [REDACTED] ORGANIZATION WOULD NOT
PROVIDE THE NAMES OF INDIVIDUALS WHO HAD PURCHASED CONDOMINIUMS IN

b6 -7
b7C -7
b7D -1

[REDACTED] DID, HOWEVER, SAY THAT NO ASIAN HAD PURCHASED AN ENTIRE
FLOOR IN THE BUILDING AND AT THE PRESENT TIME THE CONDOMINIUMS WERE
STILL UNDER RENOVATION AND NO ONE WAS LIVING IN THE BUILDING. [REDACTED]

[REDACTED] STATED THAT [REDACTED] WAS SPECIFICALLY UNAWARE OF ANY KOREAN

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INBOX.24 (#0750)

TEXT: VZCZCHYC157

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FM FBI NEW YORK [REDACTED]

(P) (I-20)

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TO DIRECTOR FBI PRIORITY

BT

~~SECRET~~ SECTION 2 OF 2

HAVING MADE A PURCHASE IN THE BUILDING AND THAT AS FAR AS [REDACTED] KNEW

ALL [REDACTED] ASIAN PURCHASERS WERE JAPANESE. [REDACTED]

POINTED OUT, HOWEVER, THAT AS MOST THE OF PROPERTY IN THE BUILDING

WAS PURCHASED THROUGH CORPORATIONS, [REDACTED]

[REDACTED]

IN VIEW OF THE ABOVE [REDACTED] IS REFUSING TO
PUBLICLY CONFIRM OR DENY THE INFORMATION [REDACTED] AND DOES NOT
INTEND TO ISSUE A PRESS RELEASE ON THE MATTER. [REDACTED] ADVISED
THAT IN THE EVENT [REDACTED] ATTEMPTED TO PURCHASE
A CONDOMINIUM IN THE BUILDING [REDACTED] WOULD CONTACT THE FBI.

b6 -7
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b6 -7
b7C -7
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~~SECRET~~

1359980-123

PAGE TWO DE NY 2157 ~~SECRET~~ SECTION 2 OF 2

ON THURSDAY, OCTOBER 22, 1987 AT 9:30 A.M., AGENTS OF THE NYC
INTERVIEWED [REDACTED]

b6 -7
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[REDACTED] WHO ADVISED THE
FOLLOWING:

[REDACTED] ADVISED THAT [REDACTED] WAS REPRESENTING [REDACTED]
[REDACTED] IN THE PURCHASE OF CONDOMINIUMS [REDACTED]

[REDACTED] ACCORDING TO [REDACTED]
[REDACTED] HAS PURCHASED [REDACTED] APARTMENTS IN THE BUILDING. [REDACTED]

b6 -3,-7
b7C -3,-7
b7D -1

[REDACTED]
[REDACTED] THOUGHT THERE MIGHT BE ONLY [REDACTED] APARTMENTS ON THE [REDACTED]
FLOOR. [REDACTED] HAD PURCHASED THE APARTMENTS FOR HIMSELF AND HIS
[REDACTED] AND [REDACTED] DOES NOT FEEL THAT HE IS ANYWAY INVOLVED
WITH THE SOUTH KOREANS. WHEN [REDACTED] CALLED THE [REDACTED]
[REDACTED] IN JAPAN THEY WERE INFORMED THAT THE SOUTH KOREANS HAD
ALREADY CALLED [REDACTED] IN [REDACTED] AND [REDACTED]
DID NOT WANT TO BECOME INVOLVED WITH THE SOUTH KOREANS OR IN ANY WAY
COMMENT ON THE [REDACTED]

~~SECRET~~

1359980-124

PAGE THREE DE NY 157 S E C R E T SECTION 2 OF 2

STATED THAT HE WAS TOTALLY UNAWARE OF ANY PURCHASES BY ANY SOUTH
KOREANS IN THE BUILDING. [REDACTED] DID POINT OUT THAT ON [REDACTED]

[REDACTED] THERE WAS [REDACTED]

WHICH STATED [REDACTED]

[REDACTED] (THREE BEDROOM UNITS.) SOLD BY [REDACTED]

TO A [REDACTED] FOR [REDACTED] DOLLARS." ACCORDING TO [REDACTED]

[REDACTED] OF A COMPANY. [REDACTED]

THINKS

THAT IS WHERE [REDACTED] CAME UP WITH THE [REDACTED] FLOOR APARTMENT

WITH [REDACTED] BEDROOMS. [REDACTED] COULD PROVIDE NO FURTHER INFORMATION

CONCERNING THE [REDACTED] ALSO STATED THAT HE DID NOT KNOW

[REDACTED] BUT THAT HE WAS NOT FAMILIAR WITH MOST OF THE

JAPANESE INDIVIDUALS ASSOCIATED WITH [REDACTED]

IT SHOULD BE NOTED THAT [REDACTED]

DENIED KNOWING ANY [REDACTED]

LEAD

NEW YORK DIVISION

~~SECRET~~

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b7C -3,-7
b7D -1

b6 -3,-7
b7C -3,-7
b7D -1

1359980-125

PAGE FOUR DE NY #157 ~~SECRET~~ SECTION 2 OF 2

AT NEW YORK, NEW YORK.

[REDACTED] IN QUESTION AND [REDACTED]

b7D -1

[REDACTED] WILL BE FORWARDED TO BUREAU

HEADQUARTERS BY SEPARATE COVER.

~~C. BY G-3, DECL: CH OADR.~~

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UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION**Electronic Communication****Title:** (U) REQUEST FROM LATVIA FOR ASSISTANCE IN
THE MATTER OF [REDACTED]**Date:** 05/18/2015**From:** INTERNATIONAL OPERATIONS**Contact:** [REDACTED]

b6 -1,-2

b7C -1,-2

Approved By: UC [REDACTED]**Drafted By:** [REDACTED]**Case ID #:** 163Q-HQ-6388150 -1(U) REQUEST FROM LATVIA FOR ASSISTANCE
IN THE MATTER OF [REDACTED]**SENSITIVE TREATY/MOU/NDA INFORMATION**

This document contains information obtained from a third party through a treaty, MOU, or non-disclosure agreement on condition that it not be used or disseminated to another entity except as specified in the treaty, MOU, or NDA. Consult the treaty, MOU, or NDA, the originator of the document, or the Office of the General Counsel for guidance.

Synopsis: (U) Request U.S. authorities interview [REDACTED] in
relation to the government of Latvia's investigation of [REDACTED]
involvement in various criminal activities

b6 -2,-3

b7C -2,-3

[REDACTED]
b7E -2

Administrative Notes: (U) The United States is obligated to assist in such matters pursuant to the 1997 U.S. - Latvia Mutual Legal Assistance Treaty in Criminal Matters, as supplemented by the 2005 U.S. - Latvia mutual Legal Assistance Protocol.

Enclosure(s): Enclosed are the following items:

1. (U) FBI Letter
2. (U) [REDACTED] MLAT
3. (U) Instructions for interview

b6 -2

b7C -2

Details:

UNCLASSIFIED

1359980-134

UNCLASSIFIED

Title: (U) REQUEST FROM LATVIA FOR ASSISTANCE IN THE MATTER OF [REDACTED]

b6 -2
b7C -2

Re: 163Q-HQ-6388150, 05/18/2015

(U) The facts of the case are set forth in detail in the enclosed request dated March 30, 2015. The Latvian authorities are investigating [REDACTED]

(U) The requests seeks an interview of [REDACTED] using the questions listed on page 6-9 of the request. The Latvian authorities have advised that a written statement from [REDACTED] or his counsel will be acceptable. [REDACTED] can be located at [REDACTED] New York, NY 10022.

b6 -1, -2, -3
b7C -1, -2, -3

(U) Please review the MLAT in its entirety prior to conducting interviews. [REDACTED]

b7E -3

(U) In addition, please do not contact, reply or provide any information to OIA directly as directed in the letter. Any questions/concerns regarding the coverage of this lead are to be directed to MAPA [REDACTED] at [REDACTED] who will coordinate any inquires between New York Division and OIA. New York is also reminded all documents are to be uploaded into Sentinel via PDF format. No paperwork should be forward to the Legat.

UNCLASSIFIED

UNCLASSIFIED

Title: (U) REQUEST FROM LATVIA FOR ASSISTANCE IN THE MATTER OF [REDACTED]

b6 -2
b7C -2

Re: 163Q-HQ-6388150, 05/18/2015

◆◆

UNCLASSIFIED



U.S. Department of Justice

Criminal Division
Office for International Affairs

MDR [redacted]
182-46750 (please repeat when responding)

b6 Per CRM
b7C Per CRM

1301 New York Avenue, NW
8th Floor
Washington, D.C. 20530

March 30, 2015

VIA ELECTRONIC MAIL

b6 -1 Per FBI
b7C -1 Per FBI

[redacted]
Eurasia Unit
Office of International Operations
Federal Bureau of Investigations
935 Pennsylvania Ave. NW
Washington, DC 20535

Re: Request from Latvia for Assistance in the Matter of [redacted]

b6 Per CRM
b7C Per CRM

Dear [redacted]

b6 -1 Per FBI
b7C -1 Per FBI

Please find enclosed the above-referenced request from Latvia for legal assistance in a foreign criminal matter. The United States is obligated to assist in such matters pursuant to the 1997 U.S.-Latvia Mutual Legal Assistance Treaty in Criminal Matters, as supplemented by the 2005 U.S.-Latvia Mutual Legal Assistance Protocol. Either because the assistance requested appears to be available without compulsory process, or because the use of compulsory measures would not appear to be successful, this office is transmitting the request to your office only, and asks that you ensure its prompt and efficient execution. Due to the nature of this ongoing criminal investigation, this request should be treated in a confidential manner.

The Facts

b6 Per CRM
b7C Per CRM

The facts of the case are set forth in detail in the enclosed request. In summary, the Corruption Prevention and Combating Bureau of the Republic of Latvia is investigating whether [redacted] a former Latvian government official, used his position to profit financially. From [redacted] held various government positions, including [redacted] [redacted] During his time serving in public office [redacted] failed to disclose his role as a primary shareholder in four companies [redacted]

According to the facts provided by Latvian authorities [redacted] was the legal owner of the companies, and took an active part in the direction and operation of the companies, including addressing financial and legal problems and undertaking development projects. [redacted] purposefully hid his capital shares and stock in the companies from public and law enforcement authorities because of the conflict of interest between his role as a public official and his private investments and business ventures. In the course of their investigation, Latvian authorities learned that in January 2011 [redacted]

b6 Per CRM
b7C Per CRM

traveled to the United States on vacation and attempted to interest foreign investors in several real estate projects. [redacted]

[redacted] Latvian investigators need to establish whether [redacted] admitted to his ownership of the company as [redacted] and whether he expressed his personal interest in developing and selling the property while acting as a government official.

The Request

In furtherance of their investigation, Latvian authorities seek an interview of [redacted] using the questions listed on pages 6-9 on the English translation of the request. Please note that Latvian authorities have informed our office that a written statement from [redacted] will be acceptable. *Latvian law requires interviews to be recorded, transcribed, or handwritten with the interviewee's signature attesting that the statements are true and accurate. Please be advised that a FBI 302 Report is not admissible in Latvia's court of law.*

b6 Per CRM
b7C Per CRM

Coordination with the OIA

Please provide this office with the name and telephone number of the case agent assigned to execute this request. That agent should analyze the request and notify us immediately if it contains insufficient information to permit execution. Similarly, if at any point you determine that appointment of an Assistant United States Attorney is necessary for complete execution of the request, please contact this office. Otherwise, the agent should proceed to execute the request at the earliest possible opportunity.

Please advise OIA immediately if there are special considerations of which you are aware that will result in either limited or delayed execution of the request or possible denial of the request. For example, if execution would result in harm to a U.S. investigation or prosecution or compromise a confidential source, assistance can be delayed or denied or conditions on use can be imposed. If such considerations arise with respect to this request, please contact me as soon as possible in order to discuss available options.

I will serve as the main point of contact for both your office and Latvia. Please contact me by e-mail at [redacted]@usdoj.gov or by telephone at [redacted] or [redacted]@usdoj.gov or by telephone at [redacted] if you have any questions.

b6 Per CRM
b7C Per CRM

Sincerely,

Mary D. Rodriguez
Acting Director, OIA

By: [redacted]

Enclosure: Request for Assistance



LATVIJAS REPUBLIKAS PROKURATŪRA
ĢENERĀLPROKURATŪRA

Reģ.Nr. 90000022859, Kalpaka bulvārī 6, Rīgā, LV-1801
tāl. 67044400, fakss 67044449, e-pasts: gen@lrp.gov.lv

RIGA

[Redacted]

Senior Trial Attorney
Office of International Affairs
Criminal Division
United States Department of Justice

b6 Per DOJ

b7C Per DOJ

March "19", 2014

Our ref.:1/1-12-11-14 /1222
(please use when responding)

1301 New York Avenue NW, 9th Floor
Washington, D.C. 20005

Subject: **Mutual Legal Assistance Request**

Enclosures: Request for Assistance No. 1/1253 of February 21, 2014
in Criminal Case No. [Redacted] made by the
Corruption Prevention and Combating Bureau
(accompanied by translation from Latvian into English)

RECEIVED
GENERAL INVESTIGATIVE
DIVISION
2014 MAR 31 PM 2:44
CRIMINAL DIVISION

b6 Per CRM

b7C Per CRM

Dear [Redacted]

The Central Authority of the Republic of Latvia with reference to the 1997 Treaty between the Government of the United States of America and the Government of the Republic of Latvia on Mutual Legal Assistance in Criminal Matters, as supplemented by the 2005 Protocol to the Treaty between the Government of the United States of America and the Government of the Republic of Latvia on Mutual Legal Assistance in Criminal Matters, has the honor to request assistance in relation to criminal proceedings being conducted by the Corruption Prevention and Combating Bureau.

You are kindly requested to intercede with the appropriate authorities in order to execute the enclosed request.

Please notify us about the outcome. Thank you in advance for your cooperation with this request.

Yours sincerely,

[Redacted]

[Redacted]

b6 Per CRM

b7C Per CRM

Department of Analysis and Management
Prosecutor General's Office of the Republic of Latvia

1359980-139

182-46750

(Coat of arms)

CORRUPTION PREVENTION AND COMBATING BUREAU

Brīvības Street 104 k-2, Riga, LV-1001, telephone: 67356161, 67356140 fax: 67331150,
reg.No.90001427791,
e-mail: knab@knab.gov.lv

Riga

21.02.2014 No. 1/1253
Re. ____ No. ____

b6 Per CRM
b7C Per CRM

Request for legal assistance
in criminal proceedings No. [REDACTED]

To whom it may concern

Hereby we, the Corruption Prevention and Combating Bureau, express our respect to law enforcement authorities of the United States, and request to provide legal assistance in criminal proceedings No. [REDACTED]

b6 Per CRM
b7C Per CRM

The facts of the case:

Materials of the criminal proceedings contain data that [REDACTED]
(personal identity number [REDACTED] in capacity of the state official holding a responsible position, is actually (in a covert manner) holding shares in companies [REDACTED]
[REDACTED] as well as shares in the [REDACTED]
[REDACTED] Relationship of [REDACTED] with the company [REDACTED] is also being verified.

Legally the following persons are owners of the above companies:

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[REDACTED]

From negotiations between [REDACTED] (personal identity number [REDACTED] personal identity number [REDACTED] personal identity number [REDACTED] obtained in materials of the criminal proceedings, it is clear that the said people are representing interests of [REDACTED] as the actual (covert) owner in the [REDACTED] companies. Also from the negotiations it appears that [REDACTED] has received dividends from [REDACTED] as well as has taken an active part in the management of the said company, in decision making, has addressed financial and legal problems of the companies, put forward and planned development directions of the companies.

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b7C Per CRM

For the person directing the proceedings there are reasonable grounds to believe that hiding of capital shares and stock owned by [REDACTED] behind other natural and legal persons has taken place for the purpose to hide assets (companies) owned by him from both the public and law enforcement authorities, since [REDACTED] as a public official, is aware that, officially, as owner of these companies, may not reveal himself, since from [REDACTED] has held various positions in government, including [REDACTED]

[REDACTED] While holding these positions,

[redacted] has likely, due to personal interest, and rapacious purposes, in breach of the limitations laid down for state official, adopted decisions, as well as has taken part in and has affected making of different decisions for the benefit of these companies, including [redacted] which is prohibited to him under the law.

Information obtained in the criminal case have shown that [redacted] as well as [redacted] are aware of unlawful acts of [redacted] and they support his criminal activities, since they mutually address the question how to hide [redacted] as the actual (covert) owner and beneficiary of the company.

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Material body of evidence in criminal proceedings give rise to the assumption that [redacted] personal identity number [redacted] when holding positions of public officials - position of the [redacted]

[redacted]
[redacted]
[redacted] most likely has committed criminal offences as follows:

1. Criminal offence (Avoiding Submission of Declaration) prescribed pursuant to Section 219, Paragraph 2 of the Criminal Law, namely [redacted] as a public official, who holds a responsible position, with the participation in management of the companies [redacted]

[redacted] as the actual (covert) owner, gaining material benefit for himself, may have committed indication of intentionally false information in the public official's declaration, without specifying details of these companies owned by him and of the dividends obtained therefrom.

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2. Criminal offence (Violation of Restrictions Imposed on a State Official) prescribed pursuant to Section 325, Paragraph 2 of the Criminal Law, namely [redacted] as a public official, who holds a responsible position, for the sake of personal interest and with avaricious intent while being a public official has participated in decision-making related to the companies [redacted]

[redacted] covertly owned by him, thus in violation of the restrictions imposed on a state official laid down in Section 11 of the Law "On Prevention of Conflict of Interest in Activities of Public Officials" [redacted] as a public official shall be prohibited, in the performance of responsibilities of public official, to prepare or to issue administrative acts, to carry out monitoring, control, investigation or punishment functions, to enter into contracts or to take other actions in which this public official, their relatives or business partners have personal or material interests).

3. Criminal offence (Using Official Position in Bad Faith), prescribed pursuant to Section 318, Paragraph 2 of the Criminal Law, namely [redacted] as a public official, by using official position in bad faith, for the sake of personal interest, with avaricious intent, by using his status as a public official, by taking decisions for the benefit of his covertly owned companies [redacted]

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b7C Per CRM

[redacted] has caused material damage to the state authority or management order.

4. Criminal offence (Unlawful Participation in Property Transactions), prescribed pursuant to Section 326, Paragraph 2 of the Criminal Law, namely [redacted] as a public official, for the sake of personal interest and with avaricious intent has entered into transactions with the companies [redacted]

[redacted] where he is the actual (covert) owner, i.e., has taken part in and contributed to property transactions prohibited to him in relation to his official position.

Right now [redacted] is in the procedural status of a person against whom criminal proceedings have been launched.

During pre-trial investigation, a legal assistance request has been received from the law enforcement authorities of the [redacted] under which, interrogation has been carried out of

b6 Per CRM
b7C Per CRM

a witness [redacted] (identification number [redacted]). From testimony of [redacted] it derives that [redacted] while being a politician, has actively promoted and told about [redacted] to several current investors, including [redacted]. With [redacted] mediation, a relationship has been established with the [redacted]. [redacted] has testified that [redacted] has gone to America for business purposes relating to international relations between Latvia and America. [redacted] has tried to deal with marketing and popularization of the Latvian projects among foreign investors, due to which [redacted] had met many foreign investors, including [redacted]. [redacted] has pointed out in his testimonies that one of the appointments with [redacted] where [redacted] participated, probably might take place in January 2011.

Thus, upon assessment of testimonies by [redacted] and the materials of the criminal proceedings, for investigator there is reason to believe that [redacted] as personally and financially interested party in 2011 (perhaps in January) has travelled to the United States, where he has met [redacted] with a view to attract [redacted] as investor for real estate projects [redacted]. The said real estate projects in the Republic of Latvia are planned to be implemented by the companies incorporated in the [redacted] including [redacted] and [redacted] is actively engaged in the implementation of these projects.

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In view of the above, in the criminal proceedings there is the need to obtain additional evidence confirming relationship of [redacted] with the companies from the [redacted] and Latvia, whereby, procedural activities must be carried out in the United States.

PROCEDURAL ACTIVITIES TO BE CARRIED OUT

The United States of America (hereinafter the U.S.) law enforcement institutions are requested:

To interrogate in the capacity of witness the [redacted] by asking the following questions:

- ✓ What is [redacted] business, whether his occupation (business) is related to the real estate business?
- ✓ Whether occupational (business) interests of [redacted] are related to real estate projects in the Republic of Latvia, if yes, then, with what projects and companies and individuals there is a cooperation?
- ✓ Whether [redacted] is acquainted with [redacted] (personal identity number [redacted])? If yes, then:
 - Since what time and under what circumstances they have become acquainted, and who has introduced them?
 - How was [redacted] introduced (what is his occupation, whether reference has been made to the fact that [redacted] is a politician, or offices held [redacted])
 - What is (was) mutual relationship between [redacted] and [redacted]
 - How often has [redacted] met [redacted] what were the purposes of these meetings, who participated in the meetings, what was talked about, where was the meetings held?
- ✓ Has [redacted] met [redacted] in the U.S. in January 2011?
 - If they have met, then what was the purpose of this meeting and who organised this meeting?
 - Who was taking part during the meeting in the U.S. whether [redacted] and [redacted] have been among these persons?
 - Where was this meeting held?
 - Whether during this meeting there have been presentations of real estate projects planned in the Republic of Latvia?

b6 Per CRM
b7C Per CRM

- What real estate projects have been presented that are planned in the Republic of Latvia? Whether [redacted] projects have been mentioned among them?
- What is the purpose for presentations of these projects? Whether the aim was to attract [redacted] as investor to the real estate projects?
- Whether owners of these projects have been mentioned, if yes, then who are the owners (which companies, persons)?
- What value has been given for these projects? How much investments were needed for development and implementation of each project?
- Have [redacted] agreed to be an investor for real estate projects (which) and how large investments was [redacted] ready to draw in the said projects?
- If [redacted] agreed, then how has an assurance resulted that it will be a successful investment and a business project?
- Whether in negotiations [redacted] has introduced himself as a real estate project partner, participant, shareholder or owner?
- Whether it was mentioned, how large financial resources have been invested for implementation of these projects, and whether persons have been mentioned who have invested these funds?

b6 Per CRM
b7C Per CRM

• What else apart from [redacted] were the potential investors referred to in the Republic of Latvia for the proposed real estate projects?

- ✓ Has [redacted] visited the Republic of Latvia, if yes, then:
- When has it happened - on which dates?
 - What was the aim of visit?
 - Please provide details of the process of visit to the Republic of Latvia (what sites have been visited, in which hotel stayed, with what persons has he met, whether between persons with whom he met were [redacted])
 - Whether, while [redacted] was visiting Latvia, a meeting was organised in which the real estate projects planned in the Republic of Latvia have been presented (if yes, what in particular - whether [redacted] projects have been among them, whether presentation materials have been issued, whether these have remained, if yes, please add their copies to the interrogation protocol)?
 - Who has organised these meetings?
 - What persons (shareholders, owners, members, et al.) have been mentioned in relation to these real estate projects?
- ✓ Whether any person (persons) who represented interests of [redacted] in relation to the real estate projects planned in the Republic of Latvia, upon [redacted] request has visited the Republic of Latvia, if yes, then:
- Who is this person (are these persons)?
 - Please, describe in detail the time, objectives and progress of the visit in the Republic of Latvia, namely, with what persons there have been meetings, at what location?
 - What exactly has been the topic of negotiations?
 - Whether [redacted] has participated in the negotiations?
- ✓ If there are doubts about [redacted] identity, but according to the external (visual description) features the person looks like [redacted] please, present the photo of [redacted] together with "extra" photographs, for recognition of [redacted] from photo?
- ✓ Furthermore, it is necessary to clarify whether these meetings where negotiations have taken place in relation to the real estate projects in the Republic of Latvia [redacted] and [redacted] projects) have been fixed, recorded, or audio or video recordings have been made? If yes, copies thereof must be annexed to the interrogation protocol?

b6 Per CRM
b7C Per CRM

b6 Per CRM
b7C Per CRM

Before interrogation, the persons must be introduced to the rights and obligations of witness laid down in Section 110 and 111 of the Criminal Procedure Law effective in the Republic of Latvia, as well as warned about liability for giving false testimony, refusal to give testimony and disclosure of data obtained from pre-trial criminal proceedings, prescribed by Sections 300, 302 and 304 of the Criminal Law.

In the case if additional information is required in the execution of judicial assistance request, please contact [redacted] Corruption Prevention and Combating Bureau [redacted]

b6 Per CRM
b7C Per CRM

If necessary, please also perform other investigative activities.

Annexed:

1. CD with photo of [redacted] and two "extra" photos.
2. Law extracts on 4 pages.

Sincerely yours,

[redacted]

[redacted]

True translation.

Certified in Riga, at 51 Elizabetes Street, dated

13 (thirteenth) of March, 2014
(two thousand fourteen).

Translated by [redacted] personal identity number [redacted]

I hereby certify that I am forewarned about knowingly giving false translations according to the section 300 of the Criminal Law.

[redacted]

(translator's signature)

b6 Per CRM
b7C Per CRM

Translation certified in the translation agency "Konels" LLC

"Konels" LLC

LV40003919703

Riga, 45-107 S. Eizensteina Street LV-1079

Member of the board [redacted]
[redacted]

Place for seal

1359980-145

Section 109. Witnesses

- (1) A witness is a person who has been invited, in accordance with the procedures specified by law, to provide information (testify) regarding the circumstances to be proven in criminal proceedings and the facts and auxiliary facts related to such circumstances.
- (2) In pre-trial criminal proceedings, a witness shall provide information in an inquiry or interrogation. During adjudication, a victim shall provide information only in an interrogation.
- (3) A person directing the proceedings may also invite as a witness an official who is or was authorised to perform proceedings in pre-trial proceedings, except for an investigating judge or public prosecutor, if such person maintains State prosecution in a concrete criminal proceedings.

Section 110. Rights of a Witness

- (1) A witness has the right to know in what criminal proceedings he or she has been invited to testify, to which official he or she has provided information, and the procedural status of such official.
- (2) Before an inquiry and interrogation, a witness has the right to receive information from an executor of a procedural action regarding his or her rights, duties, and liability, the mode of the recording of information, as well as regarding the right to provide testimony in a language that he or she knows well, using the services of an interpreter, if necessary.
- (3) A witness has the right:
 - 1) to make notes and additions in testimonies recorded in writing, or to request the opportunity to write testimonies by hand in a language that he or she commands;
 - 2) to not testify against him or herself or against his or her immediate kinfolk;
 - 3) to submit a complaint regarding the progress of an inquiry or interrogation during pre-trial criminal proceedings;
 - 4) to submit a complaint to an investigating judge regarding the unjustified disclosure of a private secret, or to request that the court withdraw a matter regarding a private secret, and to request that the request be entered in the minutes of the session if such request is rejected;
 - 5) to retain an advocate for the receipt of legal assistance.
- (4) An image of a witness recorded as a photograph, video, or by other types of technical means shall not be published in the mass media during procedural actions without the consent of such witness if such publication is not necessary for the disclosure of a criminal offence.

[12 March 2009]

Section 111. Duties of Witnesses

- (1) In answering posed questions, a victim shall provide only true information, and shall testify regarding everything that is known to him or her in connection with a concrete criminal offence. The right to not testify is held only by persons for whom such procedural immunity has been specified in the Constitution, this Law, and international treaties binding to Latvia.
- (2) A witness has a duty, upon the request of a person directing the proceedings, to notify his or her postal or electronic mail address for the receipt

**Extract from the Law „On Prevention of Conflict of Interest in
Activities of Public Officials”**

**Section 11. Restrictions on Issuing Administrative Acts, Performance of
Supervision, Control, Inquiry or Punitive Functions and Entering
Into Contracts**

(1) A public official is prohibited, in the performance of the duties of the public official, to prepare or issue administrative acts, perform the supervision, control, inquiry or punitive functions, enter into contracts or perform other activities in which such public officials, their relatives or counterparties are personally or financially interested.

[7 June 2007; 12 November 2009]

Section 300. Knowingly Giving False Testimony, Opinions, Translations and Explanations

(1) For a person who, being a witness, a victim or another person who has been warned against giving false testimony, knowingly commits giving false testimony or, being an expert, knowingly commits giving a false opinion or, being a translator, knowingly commits giving a false translation, during pre-trial criminal proceedings, in court, to a notary or bailiff, or an applicant on oath certifies knowingly a false explanation to a court in an administrative matter,

the applicable punishment is temporary deprivation of liberty or community service, or a fine.

(2) For a person who commits the same acts, if commission thereof is during performance of pre-trial criminal proceedings or trial in court of matters concerning serious or especially serious crimes, or serious consequences result therefrom, or commission thereof is for purposes of acquiring property,

the applicable punishment is deprivation of liberty for a term not exceeding three years or temporary deprivation of liberty, or community service, or a fine.

[17 October 2002; 12 February 2004; 27 May 2004; 21 May 2009, 21 October 2010; 13 December 2012]

Section 302. Refusing to Give Testimony or Opinions, or Provide Translations

(1) For a person who, being a witness, a victim or another person who has been warned against giving false testimony, commits unfounded refusal to give testimony to a pre-trial Prosecutor's Office or at a trial,

the applicable punishment is temporary deprivation of liberty or community service, or a fine.

(2) For a person who, being an expert or translator, commits unfounded refusal to perform the tasks assigned to him or her by a pre-trial investigating institution or at a trial,

the applicable punishment is a temporary deprivation of liberty or community service, or a fine.

[21 May 2009; 21 October 2010; 13 December 2012]

Section 304. Disclosure of Information Obtained from Pre-trial Criminal Proceedings

For a person who commits disclosure of data obtained from a pre-trial criminal proceedings without authorisation from an investigator or prosecutor until the completion of the proceedings, where he or she has been warned as to non-disclosure of relevant information,

the applicable punishment is temporary deprivation of liberty or community service or a fine.

[12 February 2004; 21 May 2009; 13 December 2012]

Section 219. Avoiding Submission of Declaration

(1)[13 December 2012]

(2) For a person who commits intentionally setting out false information in a declaration of income, property or transactions, or other declaration of a

or her official position in bad faith, if such acts have caused serious consequences,

the applicable punishment is deprivation of liberty for a term not exceeding five years or temporary deprivation of liberty, or community service, or a fine, with deprivation of the right to take up a specific office for a term not exceeding five years.

[12 February 2004; 13 December 2012]

Section 325. Violation of Restrictions Imposed on a State Official

(1) For a person who commits intentional violation of the restrictions or prohibitions imposed on State officials specified by law, if substantial harm has been caused thereby to the interests of the State or of the public, or to interests protected by law of a person,

the applicable punishment is deprivation of liberty for a term not exceeding three years or temporary deprivation of liberty, or community service, or a fine.

(2) For a person who commits the criminal offence provided for by Paragraph one of this Section, if it has been committed by a State official who holds a responsible position,

the applicable punishment is deprivation of liberty for a term not exceeding five years or temporary deprivation of liberty, or community service, or a fine, with or without confiscation of property and with deprivation of the right to engage in specific employment or to take up a specific office for a term not exceeding five years.

[17 October 2002; 19 November 2009; 13 December 2012]

Section 326. Unlawful Participation in Property Transactions



(1) For a person who commits facilitating property transactions or participating in such transactions, if commission thereof is for purposes of acquiring property or due to other personal interest by a State official who, in connection with his or her official position, is prohibited from such transactions by law,

the applicable punishment is deprivation of liberty for a term not exceeding one year or temporary deprivation of liberty, or community service, or a fine.

(2) For a person who commits the same acts, if it has been committed by a State official who holds a responsible position,

the applicable punishment is deprivation of liberty for a term not exceeding three years or temporary deprivation of liberty, or community service, or a fine, with or without confiscation of property and with deprivation of the right to engage in specific employment or to take up a specific office for a term not exceeding five years.

[13 December 2012]

 Corruption
Prevention and Combating Bureau
 March 5, 2014, Riga

b6 Per CRM
b7C Per CRM

**Instructions for FBI Agents Interviewing Witnesses Pursuant to
Requests from Civil Law Countries
(updated April 2010)**

b7E -3

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: EMAIL

Date: 08/06/2015

Title: (U) Email with [REDACTED] dated 07/29/2015

b6 -1,-3
b7C -1,-3

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 163Q-HQ-6388150-2 (U) REQUEST FROM LATVIA FOR ASSISTANCE
IN THE MATTER OF [REDACTED]b6 -2
b7C -2Synopsis: (U) Email with [REDACTED] dated 07/29/2015 with
attached questions.b6 -3
b7C -3

Enclosure(s): Enclosed are the following items:

1. (U) Email with [REDACTED] dated 07/29/2015

◆◆

UNCLASSIFIED

1359980-164

[redacted] (NY) (FBI)

From: [redacted] (NY) (FBI)
Sent: Wednesday, July 29, 2015 4:10 PM
To: [redacted]
Cc:
Subject: Questions
Attachments: questions.pdf

b6 -1,-3
b7C -1,-3

[redacted] b6 -1,-3
As we discussed I am attaching for your review the questions for [redacted] As I mentioned in our phone conversation b7C -1,-3
the questions are related to an overseas investigation and should be treated as confidential. One of the FBI's
responsibilities is to assist foreign governments seeking the cooperation of witnesses in the U.S. who may be able to aid
in an overseas investigation. The questions have been formulated by the Latvian authorities and are being conveyed by
the FBI. Once you have had a chance to review the questions, please feel free to contact me so that a determination can
be made as to how to proceed. If [redacted] cannot recall the individual, photographs can be provided which may assist
in his recollection.

SA [redacted]
[redacted]

1. Whether occupational (business) interests of [redacted] are related to real estate projects in the Republic of Latvia, if yes, then, with what projects and companies and individuals there is a cooperation?
2. Whether [redacted] is acquainted with [redacted] If yes, then:
 - a. Since what time and under what circumstances they have become acquainted, and who has introduced them?
 - b. How was [redacted] introduced (what is his occupation, whether reference has been made to the fact that [redacted] is a politician, or offices held by [redacted]?)
 - c. What is (was) mutual relationship between [redacted] and [redacted]?
 - d. How often has [redacted] met [redacted] what were the purposes of these meetings, who participated in the meetings, what was talked about, where was the meetings held?
3. Has [redacted] met [redacted] – in the U.S. in January 2011?
 - a. If they have met, then what was the purpose of this meeting and who organised this meeting?
 - b. Who was taking part during the meeting in the U.S., whether [redacted] have been among these persons?
 - c. Where was this meeting held?
 - d. Whether during this meeting there have been presentations of real estate projects planned in the Republic of Latvia?
 - e. What real estate projects have been presented that are planned in the Republic of Latvia? Whether [redacted] projects have been mentioned among them?
 - f. What is the purpose for presentations of these projects? Whether the aim was to attract [redacted] to the real estate projects?
 - g. Whether owners of these projects have been mentioned, if yes, then who are the owners (which companies, persons)?
 - h. What value has been given for these projects? How much investments were needed for development and implementation of each project?
 - i. Have [redacted] agreed to be [redacted] real estate projects (which and [redacted] ready to draw in the said projects?
 - j. If [redacted] agreed, then how has an assurance resulted that it will be a successful investment and a business project?
 - k. Whether in negotiations [redacted] has introduced himself as a real estate project partner, participant, shareholder or owner?

b6 -2, -3
b7C -2, -3

- l. Whether it was mentioned, how large financial resources have been invested for implementation of these projects, and whether persons have been mentioned who have invested these funds?
 - m. What else apart from [redacted] were the potential investors referred to in the Republic of Latvia for the purposed real estate projects?
4. Has [redacted] visited the Republic of Latvia, if yes, then:
 - a. When has it happened – on which dates?
 - b. What was the aim of visit?
 - c. Please provide details of the process of visit to the Republic of Latvia (what sites have been visited, in which hotel stayed, with what persons has he met, whether between persons with whom he met were [redacted];
 - d. Whether, while [redacted] was visiting Latvia, a meeting was organised in which the real estate projects planned in the Republic of Latvia have been presented (if yes, what in particular - whether [redacted] [redacted] projects have been among them, whether presentation materials have been issued, whether these have remained, if yes, please add their copies to the interrogation protocol)?
 - e. Who has organised these meetings?
 - f. What persons (shareholders, owners, members, et al.) have been mentioned in relation to these real estate projects?
5. Whether any person (persons) who represented interests of [redacted] in relation to the real estate projects planned in the Republic of Latvia, upon [redacted] request has visited the Republic of Latvia, if yes, then:
 - a. Who is this person (are these persons)?
 - b. Please, describe in detail the time, objectives and progress of the visit in the Republic of Latvia, namely, with what person there have been meetings, at what location?
 - c. What exactly has been the topic of negotiations?
 - d. Whether [redacted] has participated in the negotiations?
6. Furthermore, it is necessary to clarify whether these meetings where negotiations have taken place in relation to the real estate projects in the Republic of Latvia [redacted] and [redacted] projects) have been fixed, recorded, or audio or video recordings have been made?

b6 -2, -3
b7C -2, -3

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FEDERAL BUREAU OF INVESTIGATION
Electronic Communication

Title: (U) Response to lead 1 on case
163-HQ-6388150

Date: 08/07/2015

From: NEW YORK

NY-C21

Contact: [REDACTED]

b6 -1
b7C -1

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 163Q-HQ-6388150 -3 (U) REQUEST FROM LATVIA FOR ASSISTANCE
IN THE MATTER OF [REDACTED]

b6 -2
b7C -2

Synopsis: (U) Interview conducted with [REDACTED]
[REDACTED] interviewed at
the request of the Latvian authorities regarding [REDACTED] contacts with
[REDACTED] Lead 1 on 163-HQ-6388150 is considered covered pending
further requests, if any, from the Latvian authorities.

b6 -2,-3,-7
b7C -2,-3,-7
b7E -2

[REDACTED]

Details:

b6 -1, -2, -3, -7
b7C -1, -2, -3, -7

Contact was made with the TRUMP ORGANIZATION in an attempt to interview
[REDACTED] at the request of the Latvian authorities. On [REDACTED]
[REDACTED] TRUMP ORGANIZATION was provided with a list
of questions regarding [REDACTED] dealings with, [REDACTED]
[REDACTED] On [REDACTED]
[REDACTED] telephone number [REDACTED] e mail address
[REDACTED] was telephonically interviewed. Also present on the
telephone call was [REDACTED]
[REDACTED] TRUMP ORGANIZATION and SSA [REDACTED]. In
response to the previously provided questions [REDACTED] advised [REDACTED]
had no contact with [REDACTED]
[REDACTED] TRUMP ORGANIZATION did meet with a
number of individuals in 2010 in LATVIA, [REDACTED]
[REDACTED] At least some of the other individuals

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1359980-168

UNCLASSIFIED

Title: (U) Response to lead 1 on case 163-HQ-6388150
Re: 163Q-HQ-6388150, 08/07/2015

referenced by the Latvian authorities (i.e. [REDACTED])

[REDACTED] the meetings were designed to educate [REDACTED] on the business climate in Latvia. There were no negotiations at these meetings.

b6 -3,-7
b7C -3,7

[REDACTED] advised that in [REDACTED]

[REDACTED] meeting concerned a presentation for a planned project in Latvia

[REDACTED] The purpose of the presentation was to license the TRUMP name to the project. There were general discussions about obtaining investors [REDACTED] was not an investor. The deal never materialized.

Based on the foregoing New York considers the lead closed. If the Latvian authorities determine an interview of [REDACTED] should take place, New York will conduct the interview.

◆◆

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FEDERAL BUREAU OF INVESTIGATION

Date of entry 08/07/2015

[redacted] telephone number [redacted] e mail address [redacted] was telephonically interviewed. Also present on the telephone call was [redacted]

[redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6 -2, -3, -7
b7C -2, -3, -7

[redacted] advised that [redacted] has no recollection of meeting [redacted] either in Latvia or the United States. [redacted]

[redacted] the TRUMP ORGANIZATION did meet with a number of individuals in 2010 in LATVIA, [redacted] did not specifically request [redacted] to attend these meetings. At least some of the other individuals mentioned by the Latvian authorities (i.e. [redacted])

[redacted] were present at these meetings. [redacted]

[redacted] The meetings occurred over a two or three day period and were very preliminary in nature. The meetings were designed to educate [redacted] on the business climate in Latvia. There were no negotiations at these meetings.

[redacted] The 2011 meeting concerned a presentation for a planned project in Latvia related to [redacted] The purpose of the presentation was to license the TRUMP name to the project. [redacted]

Investigation on 08/06/2015 at White Plains , New York, United States (Phone)

File # 1630-HQ-6388150 -4

Date drafted 08/06/2015

by [redacted]

b6 -1
b7C -1

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1359980-170

163Q-HQ-6388150

Continuation of FD-302 of Interview of [REDACTED] on [REDACTED], On [REDACTED], Page 2 of 2

b6 -7
b7C -7

There were general discussions about obtaining investors [REDACTED]
[REDACTED] was not an investor. The deal never materialized.

b6 -7
b7C -7

[REDACTED]

8/6/15

- no collection of meeting [redacted]
- " " " " in US.
- no real estate transactions in Latvia.

- a representative of Trump's organization met with certain individuals in Latvia.

- [redacted] Trump Organization

1)

[redacted]

3

[redacted]

3) w/ General discussion w/ yd to the press;
[redacted] not an interview; discussion to get

b6 -2,-3,-7
b7C -2,-3,-7

4) no.

5) [redacted] attended but at specific request
[redacted]

5) 6) [redacted] attended party in Latvia in 2010
took place over 2-3 days; [redacted] involved a

as well
as SM
ok the
others

MTJ;

point of trip was to educate

Clinton to negotiate

about

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FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: LHM

Date: 09/09/2015

Title: (U) LHM to OIA

Approved By: A/UC [REDACTED]

b6 -1,-2
b7C -1,-2

Drafted By: [REDACTED]

Case ID #: 163Q-HQ-6388150 -5 (U) REQUEST FROM LATVIA FOR ASSISTANCE
IN THE MATTER OF [REDACTED]

Synopsis: (U) LHM to OIA regarding the matter of [REDACTED] DOJ
referral letter #182-46750

◆◆

UNCLASSIFIED

1359980-174



U.S. Department of Justice
Federal Bureau of Investigation

September 9, 2015

[REDACTED]
Trial Attorney
Office of International Affairs
U.S. Department of Justice
1301 New York Ave. NW
Washington, D.C. 20005

b6 -2, -4
b7C -2, -4

Re: Request for Assistance in the Matter of [REDACTED] (DOJ # 182-46750)

Dear [REDACTED]

Reference is made to your MLAT request referral dated March 30, 2015. Said request has been assigned FBI file number 163Q-HQ-6388150. Please refer to this number in future communications regarding this matter.

In response to the government of Latvia's request to obtain a statement from [REDACTED] concerning contacts with captioned individual, the FBI is providing the enclosed FD-302 detailing the statement provided by [REDACTED]

b6 -3, -7
b7C -3, -7

The FBI now considers this matter closed. Should the authorities of Latvia require additional assistance in this matter, please have them submit a supplemental MLAT request, referencing the above mentioned DOJ/FBI identifying numbers. If you have any questions, please contact Supervisory Special Agent [REDACTED] or Supervisory Special Agent [REDACTED]

b6 -1
b7C -1

[REDACTED]

Unit Chief
MLAT Unit
International Operations Division

b6 -1
b7C -1

FEDERAL BUREAU OF INVESTIGATION

b6 -1, -2, -3, -7
b7C -1, -2, -3, -7

Date of entry 09/21/2015

On [redacted] date of birth (DOB) [redacted] appeared at his office located at [redacted] New York, N.Y. [redacted] was accompanied by [redacted]

Special Agent [redacted] previously spoke with [redacted] to advise [redacted] that authorities in Latvia had requested that [redacted] be interviewed by United States law enforcement officials concerning a corruption investigation into [redacted]. On [redacted] SAs [redacted] and [redacted] of the Federal Bureau of Investigation spoke with [redacted] and, as requested by the Latvian authorities, reviewed Sections 110 and 111 of the Extract from Criminal Procedure Law and Sections 300, 302 and 304 of the Extract from Criminal Law with [redacted]. On [redacted] [redacted] was emailed the questions to be completed by [redacted]. A copy of the email exchange is attached to this 302.

On [redacted] SAs [redacted] and [redacted] met in person with [redacted] at [redacted] New York, N.Y., who appeared voluntarily. SA [redacted] reviewed Sections 110 and 111 of the Extract from Criminal Procedure Law and Sections 300, 302 and 304 of the Extract from Criminal Law with [redacted]. [redacted] verified the accuracy of the statements he provided in the attached document totaling eight (8) pages including the document and Exhibit A thereto. Thereafter, [redacted] and SA [redacted] signed each page of the document and Exhibit A, attesting to the accuracy contained therein. A copy of the document was provided to [redacted].

Investigation on 09/15/2015 at New York, New York, United States (In Person)

File # 163Q-HQ-6388150 - 6

Date drafted 09/17/2015

by [redacted]

b6 -1
b7C -1

[REDACTED]
From: [REDACTED]
Sent: Tuesday, September 08, 2015 3:51 PM
To: [REDACTED]
Subject: RE: Questions

That's great. I will see you then

--

----- Original message -----

From: [REDACTED]
Date: 09/08/2015 3:48 PM (GMT-05:00)
To: [REDACTED]
Subject: RE: Questions

b6 -1,-7
b7C -1,-7

Understood. How about 3PM at our offices [REDACTED]

From: [REDACTED]
Sent: Tuesday, September 08, 2015 3:40 PM
To: [REDACTED]
Subject: RE: Questions

The 15th is fine. I can meet anytime after 1:00. As we discussed, I know you will go over the relevant sections of the criminal procedure law and criminal law [REDACTED] but I will need to do so as well. Let me know the time and place. Thank you for your assistance in this matter.

--

----- Original message -----

From: [REDACTED]
Date: 09/08/2015 3:31 PM (GMT-05:00)
To: [REDACTED]
Subject: RE: Questions

b6 -1,-7
b7C -1,-7

[REDACTED] would you be able to come to our offices on September 15th? What time would work best for you? As I advised on our call last week, the answers are being given [REDACTED] Trump Organization, who has the most knowledge of the topics addressed in the questions you forwarded to us previously. Let me know. Thank you in advance.

From: [REDACTED]
Sent: Thursday, September 03, 2015 4:07 PM
To: [REDACTED]
Subject: Questions

1359980-177

[REDACTED]
Thank you for taking the time to speak yesterday. Attached please find the format for the questions and responses. Based on our conversations, I have made you the respondent. I would suggest that once the answers are completed we can arrange for a time to meet for signatures etc. Please feel free to contact me with any questions or concerns you may have. Thank you for your assistance in this matter.

[REDACTED]
Special Agent FBI
[REDACTED]

This e-mail message, and any attachments to it, are for the sole use of the intended recipients, and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution of this email message or its attachments is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, while the company uses virus protection, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

SWORN STATEMENTS OF [REDACTED]

b6 -7
b7C -7

As provided on _____

Identifying Information

Name:

Address:

Telephone:

Date of Birth:

Place of Birth:

Name of Father:

Name of Mother:

Citizenship:

Employer:

Social Security No.:

Other:

1. What is [REDACTED] business, whether his occupation (business) is related to the real estate business?

b6 -2, -3
b7C -2, -3

2. Whether occupational (business) interests of [REDACTED] are related to real estate projects in the Republic of Latvia, if yes, then, with what projects and companies and individuals there is a cooperation?

3. Whether [REDACTED] is acquainted with [REDACTED] If yes, then:

a. Since what time and under what circumstances they have become acquainted, and who has introduced them?

b. How was [REDACTED] introduced (what is his occupation, whether reference has been made to the fact that [REDACTED] is a politician, or offices held by [REDACTED])

c. What is (was) mutual relationship between [REDACTED] and [REDACTED]

d. How often has [REDACTED] met [REDACTED] what were the purposes of these meetings, who participated in the meetings, what was talked about, where was the meetings held?

4. Has [redacted] met [redacted] in the U.S. in January 2011?

b6 -2, -3
b7C -2, -3

- a. If they have met, then what was the purpose of this meeting and who organised this meeting?
- b. Who was taking part during the meeting in the U.S., whether [redacted]
[redacted] have been
among these persons?
- c. Where was this meeting held?
- d. Whether during this meeting there have been presentations of real estate projects planned in the Republic of Latvia?
- e. What real estate projects have been presented that are planned in the Republic of Latvia? Whether [redacted] and [redacted] projects have been mentioned among them?
- f. What is the purpose for presentations of these projects? Whether the aim was to attract [redacted] to the real estate projects?
- g. Whether owners of these projects have been mentioned, if yes, then who are the owners (which companies, persons)?
- h. What value has been given for these projects? How much investments were needed for development and implementation of each project?
- i. Have [redacted] agreed [redacted] for real estate projects (which) and how large investments was [redacted] ready to draw in the said projects?
- j. If [redacted] agreed, then how has an assurance resulted that it will be a successful investment and a business project?
- k. Whether in negotiations [redacted] has introduced himself as a real estate project partner, participant, shareholder or owner?
- l. Whether it was mentioned, how large financial resources have been invested for implementation of these projects, and whether persons have been mentioned who have invested these funds?

m. What else apart from [redacted] were the potential investors referred to in the Republic of Latvia for the purposed real estate projects?

5. Has [redacted] visited the Republic of Latvia, if yes, then:

b6 -2, -3
b7C -2, -3

a. When has it happened – on which dates?

b. What was the aim of visit?

c. Please provide details of the process of visit to the Republic of Latvia (what sites have been visited, in which hotel stayed, with what persons has he met, whether between persons with whom he met were [redacted];

d. Whether, while [redacted] was visiting Latvia, a meeting was organised in which the real estate projects planned in the Republic of Latvia have been presented (if yes, what in particular – whether [redacted] and [redacted] projects have been among them, whether presentation materials have been issued, whether these have remained, if yes, please add their copies to the interrogation protocol)?

e. Who has organised these meetings?

f. What persons (shareholders, owners, members, et al.) have been mentioned in relation to these real estate projects?

6. Whether any person (persons) who represented interests of [redacted] in relation to the real estate projects planned in the Republic of Latvia, upon [redacted] request has visited the Republic of Latvia, if yes, then:

a. Who is this person (are these persons)?

b. Please, describe in detail the time, objectives and progress of the visit in the Republic of Latvia, namely, with what person there have been meetings, at what location?

c. What exactly has been the topic of negotiations?

d. Whether [redacted] has participated in the negotiations?

7. Furthermore, it is necessary to clarify whether these meetings where negotiations have taken place in relation to the real estate projects in the Republic of Latvia [redacted] and [redacted] (projects) have been fixed, recorded, or audio or video recordings have been made?

I have reviewed this document, consisting of _____ pages, and verify that it correctly reflects the statements of [redacted] to the above-listed questions. I have initialed each page, together with [redacted] after review.

[redacted] Special Agent
Federal Bureau of Investigation

b6 -1, -7
b7C -1, -7

I have reviewed this document, consisting of _____ pages, and verify that it correctly reflects my answers to the above-listed questions. I have initialed each page, together with Special Agent [redacted] after review. I further declare that I have provided this statement under oath and subject to penalty of criminal punishment for false statements and that my answers to the above-listed questions are accurate and truthful.

[redacted]

[Sworn to / Affirmed] before me, this ____ day of _____, 2015

at _____.

[redacted]

SWORN STATEMENTS OF [redacted]

As provided on [redacted]

Identifying Information

Name: [redacted]

Address: [redacted]

Telephone: [redacted]

Date of Birth: [redacted]

Place of Birth: [redacted]

Name of Father: [redacted]

Name of Mother: [redacted]

Citizenship: USA

Employer: [redacted]

Social Security No.: [redacted]

Other: not applicable

b6 -7
b7C -7

b6 -2, -3, -7
b7C -2, -3, -7

1. What is [redacted] business, whether his occupation (business) is related to the real estate business?

ANSWER - [redacted]
[redacted]

2. Whether occupational (business) interests of [redacted] are related to real estate projects in the Republic of Latvia, if yes, then, with what projects and companies and individuals there is a cooperation?

ANSWER - [redacted]

3. Whether [redacted] is acquainted with [redacted]?

ANSWER - [redacted]

If yes, then: [redacted]

- a. Since what time and under what circumstances they have become acquainted, and who has introduced them?

b6 -1, -3, -7
b7C -1, -3, -7

- b. How was [redacted] introduced (what is his occupation, whether reference has been made to the fact that [redacted] is a politician, or offices held by [redacted])?

SA [redacted] SA [redacted] W (TARS)

[redacted]
[redacted]

c. What is (was) mutual relationship between [redacted] and [redacted]

d. How often has [redacted] met [redacted], what were the purposes of these meetings, who participated in the meetings, what was talked about, where was the meetings held?

4. Has [redacted] met [redacted] in the U.S. in January 2011?

b6 -2, -3, -7
b7C -2, -3, -7

ANSWER – Not that anyone recalls.

a. If they have met, then what was the purpose of this meeting and who organised this meeting?

ANSWER [redacted]

b. Who was taking part during the meeting in the U.S., whether [redacted]

[redacted] have been among these persons?

ANSWER [redacted]

c. Where was this meeting held?

ANSWER [redacted] New York, New York.

d. Whether during this meeting there have been presentations of real estate projects planned in the Republic of Latvia?

ANSWER [redacted]

e. What real estate projects have been presented that are planned in the Republic of Latvia? Whether [redacted] and [redacted] projects have been mentioned among them?

ANSWER [redacted]

f. What is the purpose for presentations of these projects? Whether the aim was to attract [redacted] to the real estate projects?

ANSWER [redacted]

b6 -1, -7
b7C -1, -7

SA
SA

WITNESS

FBI

- g. Whether owners of these projects have been mentioned, if yes, then who are the owners (which companies, persons)?

ANSWER - [REDACTED]

b6 -2, -3, -7
b7C -2, -3, -7

- h. What value has been given for these projects? How much investments were needed for development and implementation of each project?

ANSWER [REDACTED]

- i. Have [REDACTED] agreed [REDACTED] for real estate projects (which) and how large investments was [REDACTED] ready to draw in the said projects?

ANSWER [REDACTED]

- j. If [REDACTED] agreed, then how has an assurance resulted that it will be a successful investment and a business project?

ANSWER [REDACTED]

- k. Whether in negotiations [REDACTED] has introduced himself as a real estate project partner, participant, shareholder or owner?

ANSWER [REDACTED]

- l. Whether it was mentioned, how large financial resources have been invested for implementation of these projects, and whether persons have been mentioned who have invested these funds?

ANSWER [REDACTED]

- m. What else apart from [REDACTED] were the potential investors referred to in the Republic of Latvia for the purposed real estate projects?

ANSWER [REDACTED]

5. Has [REDACTED] visited the Republic of Latvia, if yes, then:

ANSWER [REDACTED]

- a. When has it happened – on which dates?

- b. What was the aim of visit?

b6 -1, -7
b7C -1, -7

SA

SA

witness

FBI

c. Please provide details of the process of visit to the Republic of Latvia (what sites have been visited, in which hotel stayed, with what persons has he met, whether between persons with whom he met were [redacted])

b6 -2, -3
b7C -2, -3

d. Whether, while [redacted] was visiting Latvia, a meeting was organised in which the real estate projects planned in the Republic of Latvia have been presented (if yes, what in particular – whether [redacted] and [redacted] projects have been among them, whether presentation materials have been issued, whether these have remained, if yes, please add their copies to the interrogation protocol)?

e. Who has organised these meetings?

f. What persons (shareholders, owners, members, et al.) have been mentioned in relation to these real estate projects?

b6 -2, -3, -7
b7C -2, -3, -7

6. Whether any person (persons) who represented interests of [redacted] in relation to the real estate projects planned in the Republic of Latvia, upon [redacted] request has visited the Republic of Latvia, if yes, then:

ANSWER [redacted]

a. Who is this person (are these persons)?

ANSWER [redacted]

b. Please, describe in detail the time, objectives and progress of the visit in the Republic of Latvia, namely, with what person there have been meetings, at what location?

ANSWER – See agenda attached as Exhibit A hereto [redacted]

c. What exactly has been the topic of negotiations?

ANSWER [redacted]

d. Whether [redacted] has participated in the negotiations?

ANSWER [redacted]

b6 -1, -7
b7C -1, -7

SA
SA

witness

FBI

7. Furthermore, it is necessary to clarify whether these meetings where negotiations have taken place in relation to the real estate projects in the Republic of Latvia [redacted] and [redacted] projects) have been fixed, recorded, or audio or video recordings have been made?

ANSWER - [redacted]

b6 -1, -7
b7C -1, -7

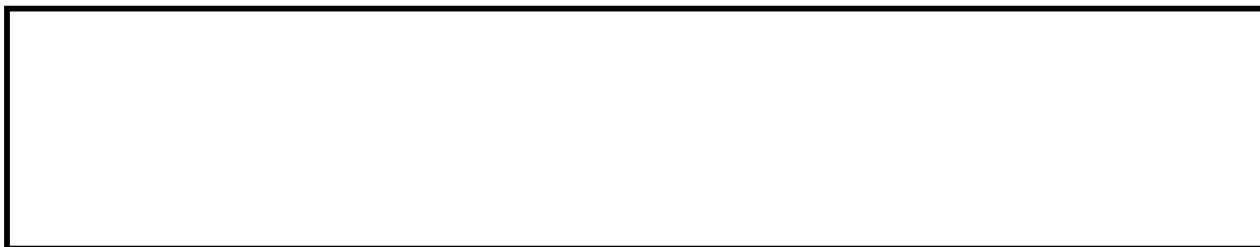
I have reviewed this document, consisting of 8 pages (including an exhibit), and verify that it correctly reflects the statements of [redacted] to the above-listed questions. I have initialed each page, together with [redacted] after review.

[redacted] Special Agent
Federal Bureau of Investigation

I have reviewed this document, consisting of 8 pages (including an exhibit), and verify that it correctly reflects my answers to the above-listed questions. I have initialed each page, together with Special Agent [redacted] after review. I further declare that I have provided this statement **under oath and subject to penalty of criminal punishment for false statements** and that my answers to the above-listed questions are accurate and truthful.

Sworn to before me, this [redacted]
at New York, New York.

EXHIBIT A



b6 -1,-7
b7C -1,-7

with neJJ

UNCLASSIFIED

OFFICIAL RECORD

FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: LHM

Date: 09/29/2015

Title: (U) LHM to OIA

Approved By: A/UC [REDACTED]

b6 -1,-2,-7
b7C -1,-2,-7

Drafted By: [REDACTED]

Case ID #: 163Q-HQ-6388150-7 (U) REQUEST FROM LATVIA FOR ASSISTANCE
IN THE MATTER OF [REDACTED]

Synopsis: (U) LHM to OIA documenting submission of a signed statement
by [REDACTED]

◆◆

UNCLASSIFIED

1359980-191



U.S. Department of Justice

Federal Bureau of Investigation

September 21, 2015

[redacted]
Office of International Affairs
U.S. Department of Justice
1301 New York Ave. NW
Washington, D.C. 20005

b6 -2, -4
b7C -2, -4

Re: Request from Latvia for Assistance in the Matter of [redacted] (DOJ #182-46750)

Dear [redacted]

Reference is made to your MLAT request referral dated March 30, 2015. Said request has been assigned FBI file number 163Q-HQ-6388150. Please refer to this number in future communications regarding this matter.

b6 -2, -7
b7C -2, -7

In response to the government of Latvia's request to obtain a statement from [redacted] the FBI MLAT Unit, under cover of a letter dated September 9, 2015, provided you with an FD-302 detailing a statement provided by [redacted]

[redacted] It is requested that you do not pass that FD-302 to Latvia. The MLAT Unit instead submits to you the enclosed sworn statement of [redacted] for passage to the Latvian authorities in fulfillment of their MLAT request.

The FBI now considers this matter closed. Should the authorities of Latvia require additional assistance in this matter, please have them submit a supplemental MLAT request, referencing the above mentioned DOJ/FBI identifying numbers. If you have any questions, please contact SSA [redacted]

b6 -1
b7C -1

[redacted] or SSA [redacted]

[redacted]
Unit Chief
Mutual Legal Assistance Treaty Unit
International Operations Division

1359980-192

UNCLASSIFIED

OFFICIAL RECORD

FEDERAL BUREAU OF INVESTIGATION

Electronic Communication

Title: (U) Response to lead 1 on case
163-HQ-6388150

Date: 10/02/2015

From: NEW YORK

NY-C21

Contact: [REDACTED]

b6 -1,-2
b7C -1,-2

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 163Q-HQ-6388150-8 (U) REQUEST FROM LATVIA FOR ASSISTANCE
IN THE MATTER OF [REDACTED]

Synopsis: (U) Interview conducted with [REDACTED]
[REDACTED] in response to a request from the Latvian authorities
regarding [REDACTED] contacts with [REDACTED] Lead 1 on
163-HQ-6388150 is considered covered

b6 -2,-3,-7
b7C -2,-3,-7

[REDACTED]

b6 -7
b7C -7
b7E -2

Enclosure(s): Enclosed are the following items:

1. (U) Sworn statement of [REDACTED] dated [REDACTED]

Details:

b6 -1,-2,-3,-7
b7C -1,-2,-3,-7

Contact was made with the TRUMP ORGANIZATION in an attempt to interview
[REDACTED] at the request of the Latvian authorities. On [REDACTED]

[REDACTED] was provided with a list
of questions regarding [REDACTED] dealings with [REDACTED]

[REDACTED] On [REDACTED]
[REDACTED] telephone number [REDACTED] e mail address

[REDACTED] was telephonically interviewed. Also present on the
telephone call was [REDACTED]

[REDACTED] and SSA [REDACTED] In
response to the previously provided questions [REDACTED] advised [REDACTED]

[REDACTED]

UNCLASSIFIED

1359980-201

UNCLASSIFIED

Title: (U) Response to lead 1 on case 163-HQ-6388150
Re: 163Q-HQ-6388150, 10/02/2015

b6 -2,-3,-7
b7C -2,-3,-7



Based on the foregoing New York considers the lead closed.

◆◆

UNCLASSIFIED

On 6/21/96 the following investigation was conducted by
SA [REDACTED]

b6 -1
b7C -1

SA [REDACTED] generated a Nexis/Lexis search from the NYO operations center referencing the subjects in this investigation. The results of the search were reviewed during the period 6/21/96 and 6/24/96 with the below listed results.

A Newsday article dated 3/28/93 discussing various security measures in the wake of the World Trade Center bombing identified MATTHEW CALAMARI as the TRUMP TOWERS SECURITY DIRECTOR.

A Newsday article dated 2/14/94 discusses the ongoing CHUCK JONES trial and jury deliberations. The article indicates that TRUMP was angry over nude photographs JONES had of MARLA MAPLES which JONES has stated are missing. It also identifies MATTHEW CALAMARI as VICE PRESIDENT OF CORPORATE SECURITY for the TRUMP ORGANIZATION and indicates that he testified that he got JONES to voluntarily consent to a search of his Manhattan office after he showed him video tapes of a hidden camera in MAPLES' apartment. The article further indicates that DOMENIC PEZZO, the Director of Security at Trump Plaza, sent a messenger to 56th. street and 5th ave where contact was made with police officers BRIAN HIGGINS and ROBERT GIANETTA who responded to PEZZO's office. They reportedly were at the office for one half hour when PEZZO received a telephone call from CALAMARI who told him that JONES had a gun in the safe. The officers then responded to JONES' office. This same article indicates that JONES testified that MAPLES had brought singer MICHAEL BOLTEN back to her room following TRUMPS departure from a west coast trip.

A San Francisco Chronicle article dated 2/21/94 identified MATTHEW CALAMARI as DONALD TRUMP's chief bodyguard.

A Chicago Tribune article dated 10/2/94 which discusses that New York Plaza Hotel identifies DOMENIC PEZZO as the Executive Director of Security at the hotel.

A New York Daily News article dated 12/8/95 discusses a lawsuit filed by the wife of the former Superintendent at the Trump Towers, ROBERT BAJRUSHI, alleging that she was falsely imprisoned by MATTHEW CALAMARI and DOMENIC PEZZO when she went to retrieve her husbands personal belongings.

A New York Newsday article dated 1/13/96 discussed a lawsuit filed by CHUCK JONES against talk show host GERALDO RIVERA

alleging that he violated a contract agreement with respect to JONES and his story regarding the TRUMP's. It indicates that JONES agreed to appear in a segment called CELEBRITY NEWS where he was to discuss matters concerning the TRUMP's, to include identifying DONALD TRUMP as a adulterer and MARLA MAPLES as a homewrecker. The article states that JONES filed suit when he learned that RIVERA featured the segment in the presence of the TRUMP's in February of 1995, which he argues is a violation of a contractual agreement.

A Boston Herald article dated 5/15/96 discusses the arrest of JONES on 10/15/95 for faxing nude photographs of MAPLES to the Plaza Hotel.

A Newsday article dated 5/15/96 indicates that JONES was sentenced to one and one half to four and one half years in prison. The article also identifies ANTHONY MOROSCO as JONES' attorney.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1359980-0

Total Deleted Page(s) = 4
Page 79 ~ Duplicate;
Page 80 ~ Duplicate;
Page 81 ~ Duplicate;
Page 84 ~ Duplicate;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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A:R4P012W.154

C-1

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date June 3, 1991

FM FBI NEWARK (178-NK-69606) (P)

TO DIRECTOR FBI/PRIORITY/

FBI CHICAGO/PRIORITY/

FBI NEW YORK/PRIORITY/

BT

UNCLAS

CITE: //3510:SQC-1//

SUBJECT: [REDACTED]

b6 -2,-5
b7C -2,-5

[REDACTED] - VICTIM; INTERSTATE

HARASSING TELEPHONE CALLS; OO: NK

RE: NEWARK TELCALLS TO CHICAGO, DATED 5/30/91.

ON 5/29/91, THE U.S. ATTORNEY'S OFFICE, NEWARK, N.J.,

CONTACTED NEWARK FBI AND ADVISED THAT [REDACTED]

b6 -5
b7C -5

[REDACTED] WAS RECEIVING NUMEROUS HARASSING TELEPHONE CALLS FROM THE
 CAPTIONED SUBJECT, WHO RESIDES IN CHICAGO, ILLINOIS. [REDACTED]

WAS UNAVAILABLE FOR INTERVIEW UNTIL 5/31/91.

179-NK-69438-3

178-NK-69606

Approved: [Signature]Print Filename: sec/ryp

Time Received: _____

Filter Filename: R4P012W.154MRI/JULIAN DATE: 1467 154ISN: 010FOX DATE & TIME OF ACCEPTANCE: 20 16 AP 6/3

1359980-91

^PAGE 2, 178-NK-69438, UNCLAS

ON 5/30/91, [REDACTED]

b6 -3
b7C -3

CONTACTED THE NEWARK FBI AND ADVISED SHE HAD RECEIVED SO MANY CALLS FROM THE CAPTIONED SUBJECT, BETWEEN 10:35 A.M. AND 10:55 A.M., THAT SHE COULD NOT RUN THE OFFICE. THE CALLS WERE COMING IN AT THE RATE OF APPROXIMATELY ONE PER MINUTE.

ON 5/30/91, NEWARK FBI CONTACTED SSA [REDACTED] CHICAGO FBI, AND IT WAS REQUESTED THAT CHICAGO DIVISION CONTACT THE CAPTIONED SUBJECT REGARDING THESE INCIDENTS. [REDACTED] HAS A TELEPHONE NUMBER OF [REDACTED] AND RESIDES AT EITHER [REDACTED] OR [REDACTED] CHICAGO, ILLINOIS.

b6 -1,-2,-3,-5
b7C -1,-2,-3,-5

ON 5/31/91, [REDACTED]

[REDACTED] WERE INTERVIEWED BY NEWARK BUAGENTS. THE INITIAL CONTACTS BY [REDACTED] BEGAN APPROXIMATELY ONE YEAR AGO, WHEN [REDACTED] RECEIVED A LETTER AND PHOTOGRAPH FROM [REDACTED] WANTED [REDACTED] TO MAKE SURE THAT [REDACTED] DONALD TRUMP, RECEIVED THE PHOTO. SINCE THAT TIME, [REDACTED] HAS SPORADICALLY CONTACTED [REDACTED] ATTEMPTING TO FIND OUT MORE ABOUT DONALD TRUMP.

b6 -2,-5
b7C -2,-5

[REDACTED] ADVISED THAT [REDACTED] WHO WORKS FOR [REDACTED] TELEPHONE [REDACTED] HAS ALSO RECEIVED NUMEROUS CALLS FROM [REDACTED] WHO IS AN [REDACTED] NOW HAS SOMEONE TO SCREEN HER INCOMING CALLS.

b6 -2,-5
b7C -2,-5

[REDACTED] WHO SERVES AS DONALD TRUMP'S [REDACTED] [REDACTED] HAS ALSO RECEIVED NUMEROUS CALLS FROM [REDACTED]

1359980-92

^PAGE 3, 178-NK-69438, UNCLAS

ATTEMPTS TO PLACATE [REDACTED] ON THE PART OF [REDACTED] AND [REDACTED] b6 -2,-5
[REDACTED] HAVE NOT BEEN SUCCESSFUL. b7C -2,-5

IT SHOULD BE NOTED THAT THESE CALLS ARE HARASSING AND NO
THREATS OF ANY KIND HAVE BEEN MADE, THUS FAR. ✓

CHICAGO DIVISION AT CHICAGO, ILLINOIS:

LOCATE AND INTERVIEW [REDACTED] b6 -5
RESIDENT OF [REDACTED] AND CONDUCT LOGICAL b7C -5
INVESTIGATION. (NOTE: INFORM HER THAT ANY FURTHER CONTACTS WILL
RESULT IN FEDERAL PROSECUTION OF THIS MATTER.)

NEW YORK DIVISION AT NEW YORK, NEW YORK:

1. LOCATE AND INTERVIEW [REDACTED]

b6 -5
b7C -5


[REDACTED] TELEPHONE [REDACTED]

2. LOCATE AND INTERVIEW [REDACTED]

[REDACTED] TRUMP ORGANIZATION, TELEPHONE [REDACTED]

BT

178 - NK - 69438 - 7

SEARCHED	INDEXED
SERIALIZED	FILED
JUN	1991
	

b6 -1

b7C -1

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/31/91

On June 6, 1991, [redacted]
DONALD TRUMP, TRUMP ORGANIZATION, Park Avenue, New York, New
York, telephone (212) 882-2000 was telephonically interviewed
regarding the receipt of harassing telephone calls. [redacted]
provided the following information:

b6 -5
b7C -5

[redacted] advised that approximately one year ago, [redacted]
[redacted] began contacting the TRUMP ORGANIZATION via telephone
and letter. She initially wanted to speak to or meet with DONALD
TRUMP, but would not elaborate on the reason she wanted to
contact him.

b6 -2,-5
b7C -2,-5

[redacted] stated that [redacted] would call periodically,
about every three to four weeks, and would call incessantly early
in the morning and later in the afternoon. [redacted] advised that
the calls became so annoying to the receptionist and to herself
that she contacted TRUMP ORGANIZATION security about the calls.
[redacted] advised that [redacted] of TRUMP security
contacted [redacted] and told her to stop calling, and warned that
if she did not stop, he would contact her place of employment,
inasmuch as it appeared she was using the phone line at her job.
[redacted] stated that [redacted] did call [redacted] employment and
[redacted] believed that in January or February of 1991, [redacted]
was fired from her job because of these phone calls.

b6 -2,-5
b7C -2,-5

[redacted] also stated that [redacted] had also
received telephone calls from [redacted]

b6 -2,-5
b7C -2,-5

Investigation on 6/6/91 at Newark, New Jersey File # 178-NK-69438

by SA [redacted] Date dictated 6/6/91

b6 -1
b7C -1

178-NK-69438-11

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 15 1969	
FBI - NEW YORK	

1130
460

b6 -1
b7C -1

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/7/91

b6 -5 On June 6, 1991, [redacted] Security, TRUMP
b7C -5 ORGANIZATION, Park Avenue, New York, New York, was telephonically
interviewed regarding the receipt of harrassing telephone calls.
[redacted] provided the following infromation:

b6 -2,-5 [redacted] advised that approximately two months ago he was
b7C -2,-5 notified by [redacted] that she
had been receiving harassing and abusive telephone calls from an
individual name [redacted] provided [redacted] with two
telephone numbers for [redacted] (home) and [redacted]
[redacted] (work).

b6 -2,-5 [redacted] advised he called [redacted] once, and requested that
b7C -2,-5 she not call the TRUMP ORGANIZATION, and when the calls did not stop,
[redacted] called [redacted] again and told her that if the calls
continued, he would call her place of employment, because it appeared
that she was calling from work. [redacted] stated that when the calls
did not cease, he called the work telephone number and spoke to some
individuals at that number about the telephone calls. [redacted]
advised that as a result of the information he provided, [redacted] was
fired from her job.

b6 -2,-5 [redacted] stated that he contacted Detective [redacted] of
b7C -2,-5 the Midtown North Precinct of the NEW YORK CITY POLICE DEPARTMENT
about this problem, and [redacted] agreed to call [redacted] and dicuss the
problem with her. According to [redacted] after the call by [redacted] to
[redacted] she began calling [redacted] at the precinct.

Investigation on 6/6/91 at Newark, New Jersey File # 178-NK-69438

by SA [redacted] Date dictated 6/7/91

b6 -1
b7C -1

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 7/23/91

1 TO : DIRECTOR, FBI

2 FROM : SAC, Chicago (178-NK-69438) (RUC)

3 SUBJECT :

VICTIM;

THE TRUMP ORGANIZATION - VICTIM;
 INTERSTATE HARASSING PHONE CALLS;
 OO: NK

b6 -2,-5
 b7C -2,-5

Reference New York airtel to Director, Newark, and
 Chicago, dated 6/20/91.

Enclosed for Newark is the original and one copy of
 an interview with on 5/31/91, and a 1-A
 containing the original notes of interview.

b6 -2
 b7C -2

For information of receiving offices, on 6/14/91,
 Chicago installed a pen register

b3 -1
 b6 -2
 b7C -2

Chicago also obtained a Federal Grand Jury subpoena

b3 -2
 b6 -2
 b7C -2

In view of the above, Chicago, is placing this
 matter in RUC status.

2 - Bureau
 ② - Newark (Encls. 3)
 2 - New York (Info)
 1 - Chicago

LJF:ljf (7)

178-NK-69438-16
 MKD MKT
 "1"
 [Signature]

Approved: _____

Transmitted _____

(Number) (Time)

Per _____

1359980-98

178-NH-69438-19

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 19 1969	
FBI - NEW YORK	

[Redacted Box]

[Signature]

b6 -1
b7C -1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/20/91

[redacted] Special Agent, New York Telephone Company, Security Division, 1065 Avenue of the Americas, New York, New York, telephone number [redacted] was advised of the identity of the interviewing Agent and the purpose of the interview. He provided the following information.

b6 -3
b7C -3

After several days of investigating the problems which the telephone lines at the Trump Organization were experiencing, he determined that the problem was the result of an internal line malfunction. One of the trunk lines on telephone number (212) 832-2000 was crossed with another line which then caused the ongoing problem. The matter has been remedied and the phone lines at the Trump Organization are now back to normal.

[redacted] assures that the line problem was internally oriented and not the result of an outside caller. A trap and trace device [redacted]
[redacted]

b3 -1
b6 -3
b7C -3

Investigation on 6/19/91 at New York, New York File # 178-NK-68438
(Telephonic)

by SA [redacted] Date dictated 6/20/91

b6 -1
b7C -1

178-10K-69438-20

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 1 1961	

b6 -1
b7C -1



[Handwritten signature]

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/17/91

[redacted]
Security, THE TRUMP ORGANIZATION, 725 Fifth Avenue, New York, New York, telephone number [redacted] was advised of the identity of the interviewing Agent and the purpose of the interview. He provided the following information:

b6 -5
b7C -5

Also present during interview was [redacted]

b6 -5
b7C -5

[redacted] THE TRUMP ORGANIZATION. Both parties
[redacted] DONALD TRUMP, President, TRUMP ORGANIZATION.

[redacted] advises that approximately one and a half to two years ago, THE TRUMP ORGANIZATION began receiving telephone calls from a woman who identified herself as [redacted]. These calls mostly came after 5:00 pm and involved [redacted] asking to speak to DONALD TRUMP. The calls were non-threatening in nature and reached a point where they were annoying and harassing in nature to the receptionist who would answer the telephone.

b6 -2,-5
b7C -2,-5

During the next year and a half or so, the calls would continue on a steady basis from [redacted]. They knew she was from Chicago, and even had a telephone number where she could be contacted. At various times, [redacted] would call and ask to speak to [redacted] or [redacted] or TRUMP himself. As the calls continued, she seemed less and less interested in speaking to TRUMP, as she would mostly ask for [redacted] or [redacted] when she called.

b6 -2,-5
b7C -2,-5

In January of 1991, [redacted] decided that these annoying calls had continued much too long. He determined [redacted] place of employment in Chicago, and called her immediate supervisor, [redacted] and advised her of the telephone calls being made by [redacted]. As a result of that telephone conversation, [redacted] was fired from her job as a receptionist. Shortly after she was fired, [redacted] recalled receiving a telephone call from her in which she asked him if he was happy now that she was fired.

b6 -2,-3,-5
b7C -2,-3,-5

Investigation on 6/12/91 at New York, New York File # 178-NK-68438

by SA [redacted] rdo Date dictated 6/12/91

b6 -1
b7C -1

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1359980-102

178-NK-68438

Continuation of FD-302 of [redacted]

, On 6/12/91, Page 2

b6 -5
b7C -5

Several weeks ago, the telephone calls from [redacted] began to intensify. She would call several times a day and annoy and harass the various receptionists and secretaries who would answer the telephones. As a result of this [redacted] decided to call the New York City Police Department regarding this problem. He spoke to a Detective [redacted] at the Midtown North Precinct, telephone number [redacted] and shortly thereafter, [redacted] contacted [redacted] and also told her to cease and desist her telephone calls. Shortly after that, the telephone calls continued by [redacted] and she also added [redacted] to her list of people to call.

b6 -2,-5,-6
b7C -2,-5,-6

Beginning June 4, 1991, the telephone calls from [redacted] intensified to a point that there were over one hundred of them received per day at the business telephone number. The number [redacted] always called in on is [redacted]. These telephone calls beginning June 4, 1991, were so numerous, that at times all of the lines on THE TRUMP ORGANIZATION telephones were tied up. [redacted] received reports from various people who were trying to call into THE TRUMP ORGANIZATION during that time, but they would receive nothing but a busy signal for hours at a time. [redacted] reports that when she would call during this time frame, she would normally identify herself as either [redacted] or [redacted]. In between the conversational telephone calls were the many aforementioned hang up telephone calls. Almost all the employees at THE TRUMP ORGANIZATION who answered the telephone were familiar with the sound of the voice of [redacted].

b6 -2,-5
b7C -2,-5

On June 7, 1991, [redacted] called THE TRUMP ORGANIZATION and engaged in a conversation with [redacted]. She advised him that she was presently across the street from the TRUMP TOWER, and was coming to see him. [redacted] asked her several questions and determined that in fact, she was not across the street, and later she admitted that she was lying to him, that she was presently in Chicago. This telephone call was tape-recorded by [redacted].

b6 -2,-5
b7C -2,-5

Another secondary telephone call was received by [redacted] and it was also from [redacted]. Both telephone calls were recorded so as to free up some of the regular business lines at the switchboard area of THE TRUMP ORGANIZATION. [redacted] would have colleagues of his call her home telephone number while he was on the telephone with her. When his colleagues would do this, they reported to him that the telephone rang with no answer. The telephone number they called was [redacted] the number that [redacted] had given them advising that it was hers.

1359980-103

178-NK-68438

Continuation of FD-302 of [REDACTED]

, On 6/12/91, Page 3

b6 -5
b7C -5

On other occasions, during the middle of a telephone call, [REDACTED] would instruct his colleague to call that same number. The number would also ring, with no one answering it. That led [REDACTED] to believe that she was not necessarily calling from her house, but perhaps from a pay telephone at some other location.

b6 -5
b7C -5

[REDACTED] states that at no time was there ever an operator involved with any of the calls that [REDACTED] placed to THE TRUMP ORGANIZATION. None of the calls were made by her collect, nor did they appear to be from a pay telephone. He never heard coins dropping in a pay telephone, nor did he hear an operator interrupt for further payment. [REDACTED] states that [REDACTED] referred to the fact that she is at a pay telephone and she uses a calling card when she makes these long distance telephone calls.

b6 -2,-5
b7C -2,-5

On June 7, 1991, during approximately twenty minutes worth of telephone conversations between [REDACTED] and [REDACTED] the switchboard did not receive any hang up telephone calls. [REDACTED] believes that this is because he kept [REDACTED] on the line and she was unable to place any additional telephone calls to tie up their main telephone lines.

b6 -2,-5
b7C -2,-5

1359980-104

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 6/20/91

TO : DIRECTOR, FBI

FROM : ADIC, NEW YORK (178-NK-69438) (RUC) (JTF-1)

SUBJECT :

[REDACTED] - VICTIM;
 THE TRUMP ORGANIZATION - VICTIM;
 INTERSTATE HARASSING PHONE CALLS;
 OO: NK

b6 -2,-5
 b7C -2,-5

Re NY TT to HQ, NK, and CH, dated 6/18/91;

Re NY telcall to CH between SA [REDACTED] and SA [REDACTED] dated 6/20/91;

b6 -1
 b7C -1

Re NY telcall to NK between SA [REDACTED] and SA [REDACTED] dated 6/20/91.

Enclosed for NK are originals and copies of FD-302's reflecting interviews of [REDACTED] and [REDACTED] and [REDACTED]

b6 -3,-5
 b7C -3,-5

Enclosed for CH are originals and copies of FD-302's reflecting interviews of [REDACTED] and [REDACTED] and [REDACTED]

Interview with [REDACTED] proved positive in her having had past telephonic contact with captioned subject. However, she reports no recent contact with her, at least not in the way of numerous hang-up calls.

b6 -5
 b7C -5

[REDACTED] and [REDACTED] the latter of the two being [REDACTED] Security for The Trump Organization, stated that not only have they each had past contact with [REDACTED] but that they suspected her of presently making literally thousands of hang-up calls to The Trump Organization in the last several weeks.

b6 -2,-3,-5
 b7C -2,-3,-5

[REDACTED] New York Telephone Company security representative stated that after several days of testing and investigating The Trump Organization phone lines, it was determined that

2 - Director
 2 - Chicago (Encl.)
 (2) - Newark (Encl.)
 1 - New York
 JRF/jrf

Approved: _____

Transmitted _____

Per _____

(Number)

(Time)

* Photocopy of this airtel was sent to the NYO with a routing slip describing the missing FD-302 for [REDACTED]

178-NK-69438-21

JUN 22 1991

b6 -5
 b7C -5

FBI - NEWARK

1359980-105

the hang-up calls were the result of a telephone line malfunction and not anyone calling the number externally. The phone lines were worked on and the problem resolved. The Trump Organization has not received any further hang-up calls since this original problem was corrected.

LEADS:

CHICAGO DIVISION AT CHICAGO, ILLINOIS: Will immediately discontinue the Pen Register [REDACTED]

Will terminate investigation of all leads which were set forth in 6/18/91 TT.

b3 -1
b6 -2
b7C -2

As all New York leads have been investigated, this matter is RUC'd..

UNITED STATES GOVERNMENT

Memorandum 178-NK-68438TO : SAC, Newark ~~178-NK-68438~~

DATE: 9/23/93

FROM : ADIC, NEW YORK (NK-68438)

☐ RUC

b6 -2,-5

b7C -2,-5

SUBJECT:

☒ File Destruction Program

Victim;

The Trump Organization Victim,
OO: NKEnclosed are 6 items.

These items are forwarded your office since:

☐ All logical investigation completed in this Division☒ You were OO at the time our case was RUC'd.

Enclosures are described as follows:

5 1-A EXHIBITS1 FD-302's LABORATORY REPORTS LATENT FINGERPRINT REPORTS SURVEILLANCE LOGS INSERTS TAX RETURNS OTHER178-NK-68438-31
~~178-NK-68438~~Enc. 6

NOTE: DO NOT BLOCK STAMP ORIGINAL ENCLOSURES.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/17/91

[REDACTED] THE TRUMP ORGANIZATION, 725 Fifth Avenue, New York, New York, telephone number (212) 832-2000, was advised of the identity of the interviewing Agent and the purpose of the interview. She provided the following information:

b6 -5
b7C -5

She recalls a day approximately three weeks ago when she remembers receiving the first telephone call from a female who subsequently identified herself as [REDACTED] asked her first for DONALD TRUMP, then [REDACTED] then [REDACTED] would not transfer her to those parties until the caller could state the business of her call. As [REDACTED] would never state her business, she would not be forwarded to those numbers. It is at that time that [REDACTED] became abusive to her and would then state that her name was [REDACTED] would then terminate the telephone call only to be called again almost immediately by [REDACTED]

b6 -2,-5
b7C -2,-5

On June 6, 1991, [REDACTED] remembers a telephone call with [REDACTED] during which [REDACTED] insisted on talking nonsense talk and not making any sense at all with her conversation. Later on June 6, 1991, she recalls receiving numerous hang up calls, but in between several dozen hang up calls, [REDACTED] would eventually speak and state to her, "Am I calling enough, you must be getting fat answering all my calls". [REDACTED] states that then there would be another several dozen hang up telephone calls. She believes that there were hundreds of hang up telephone calls received by her on that date. On one other occasion, [REDACTED] stated to [REDACTED] "I'll be over to see you soon".

b6 -2,-5
b7C -2,-5

Investigation on 6/12/91 at New York, New York File # 178-NK-68438

by SA [REDACTED] rdo Date dictated 6/12/91
1359980-108

b6 -1
b7C -1

5

- 1 -
FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/17/91

[redacted] THE TRUMP ORGANIZATION,
725 Fifth Avenue, New York, New York, telephone number
(212) 832-2000, was advised of the identity of the interviewing
Agent and the purpose of the interview. She provided the
following information:

b6 -5
b7C -5

On June 12, 1991, between approximately 8:30 am and
9:45 am, she manned the telephone switchboard in her office. She
states that an inordinate amount of hang up telephone calls were
received by her during that time. She maintained a running log
on an index card of the hang up telephone calls received during
the time that she worked the switchboard. It is recorded as
follows:

8:57 am - five hang up calls.
9:08 am - eighteen hang up calls.
9:15 am - seven hang up calls.
9:23 am - seven hang up calls.
9:25 am - twenty hang up calls.
9:29 am - fifteen hang up calls (lost count).
9:35 am - twenty hang up calls (lost count).

During none of the aforementioned telephone calls did
any one speak to her. The telephone would merely ring, she would
pick it up and state "TRUMP ORGANIZATION". It is then that she
would hear nothing but "dead air", at which time she would then
hang up.

b6 -2,-5
b7C -2,-5

[redacted] states that at numerous times in the recent
past, she has spoken with a woman who identified herself as [redacted]

Investigation on 6/12/91 at New York, New York File # 178-NK-68438

by SA [redacted] rdo Date dictated 6/12/91

b6 -1
b7C -1

178-NK-68438

Continuation of FD-302 of [REDACTED], On 6/12/91, Page 2

b6 -2,-5
b7C -2,-5

[REDACTED] Although she has never had any lengthy conversations with [REDACTED] she has answered the telephone when [REDACTED] requested to speak to [REDACTED] or DONALD TRUMP.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1359980-0

Total Deleted Page(s) = 1
Page 1 ~ Duplicate;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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NY 183A-2829

b6 -1
b7C -1
b7D -2,-3

On October 26, 1982, [redacted] furnished the following
to Special Agent (SA) [redacted] and SA [redacted]

b7D -2

183A-2829-626

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 10 1982	
FBI - NEW YORK	

Memorandum



To : ACTING SAC, NEWARK [REDACTED] (ACRA)

Date 3/29/90

b7E -1

From : SA [REDACTED]

b6 -1
b7C -1

Subject: TRUMP INC.
INFORMATION CONCERNING

Attached are the following:

1. 1 copy of a DEP Permit dated 12/20/84.
2. 1 copy of a letter to ATLANTIC COUNTY
TRANSPORTATION AUTHORITY dated 3/14/90.
3. 1 copy of an article from Atlantic City
Press dated 3/29/90.

On 3/29/90, [REDACTED] (Protect Identity),
[REDACTED] met with the writer and SSRA
[REDACTED] regarding allegations of [REDACTED]

b6 -1,-7
b7C -1,-7
b7D -2

[REDACTED]

[REDACTED]

b6 -7
b7C -7
b7D -2

1-Newark
JBD/klm
(1) *[Signature]*

194B-NK-64485-27

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 29 1990	
FBI - NEWARK	

[Signature]

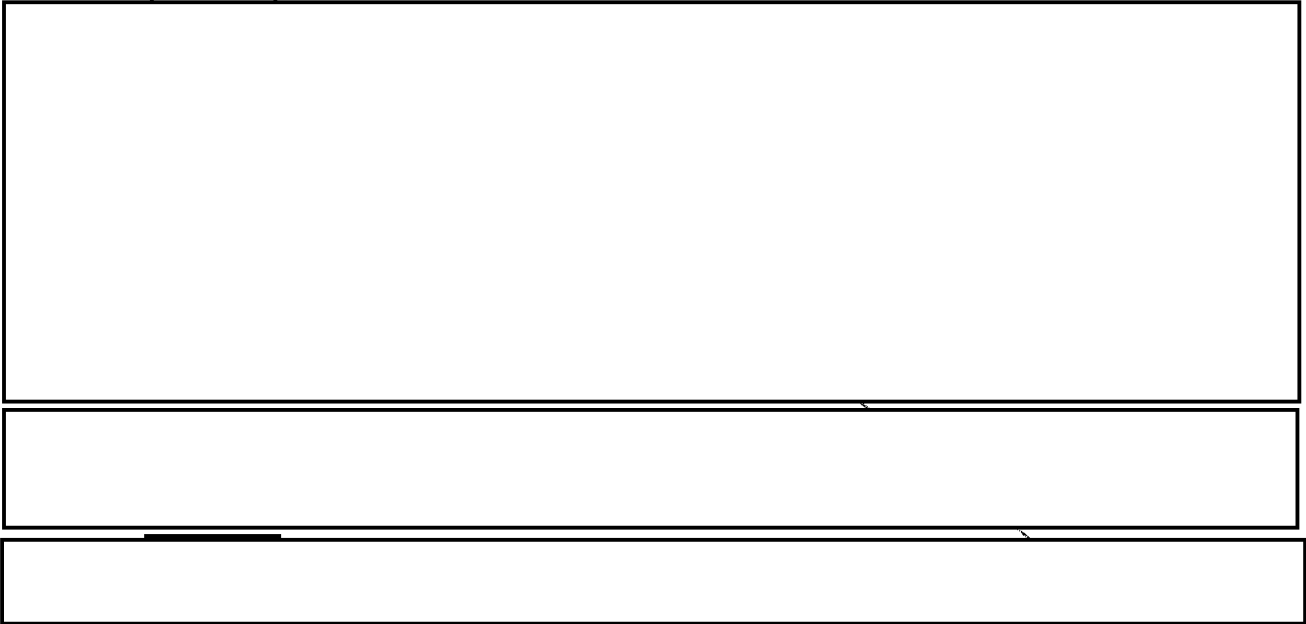
1359980-72

b7E -1

Newark



b6 -3,-7
b7C -3,-7
b7D -2



b6 -3,-7
b7C -3,-7
b7D -2

Freeholders seek probe of Taj permit

State restrictions eased to allow employee parking lot opening

By KATHLEEN CANNON
Staff Writer

ATLANTIC CITY — The Atlantic County freeholders have asked for an investigation into whether the Trump organization somehow skirted the requirements for traffic improvements in the area around its 1,300-spot employee parking lot on Huron Avenue.

The officials say they are suspicious because state conditions put on the development of the lot, built to accommodate Taj Mahal Casino Resort employees, were recently downgraded to, in essence, ease the way for the lot's opening.

Donald Trump's newest hotel casino is due to open its doors April 5. The Casino Control Commission will hold a hearing for its final licensure today.

The freeholders, in a resolution prepared Wednesday, asked the commissioners to investigate the circumstances surrounding the parking-lot permitting that "appear to be extremely accommodating to the Trump Project while abysmally ignorant of the concerns to the residents of Brigantine Island," according to a letter by Board Chairman John F. Gaffney and Vice Chairman Andrew A. Solari.

One of the conditions attached to the original state permit allowing the parking lot to be built calls for the construction of traffic improvements such as extra

turning lanes and additional signals at the Route 30/Huron Avenue/Dr. Martin Luther King Jr. Boulevard intersection. The project is intended to allow for smoother traffic flow into the lot and onto Huron Avenue leading into Brigantine.

The original permit issued in December called for the improvements to be built before the parking lot could be used. But according to the permit modifications, outlined in a March 14 letter from the Division of Coastal Resources of the state Department of Environmental Protection, the parking lot can be opened before the improvements are constructed.

This has angered some Brigantine residents, including Solari. They complain that without the improvements, the additional traffic generated by the new parking lot will cause even more congestion on the Atlantic City roads leading to the lone access onto their island.

Solari asked the freeholder board Tuesday to call for the investigation.

"There's enough questions that somebody should be looking into any shenanigans and what looks like a deal between the DEP and Trump," Solari said. "Somebody's got to make DEP accountable. The DEP can't get away with it."

"It's almost like Trump wrote

□ See **Parking**, Page C4

PERMIT

ON. *Ray Noble* P. 2
Articypel 

4-1359980-75

DEC 21 '89 11:02 DEP 501 E. STATE ST.

P.3

Page 2 of 4
Trump - Taj Mahal

- a) Provide two southbound through lanes on Huron Avenue.
- b) Modify the directional islands on the south side of Route 30 to provide for enough width so that MCI buses traveling side by side can negotiate the move from Route 87 to Illinois Avenue without encroaching on the adjacent lane.
- c) Provide the proper turning radius (50 foot) to accommodate MCI buses turning from the westbound Route 30 jughandle onto Huron Avenue shoulder lane without encroaching upon the median lane.
- d) Provide two lanes from southbound Huron Avenue onto westbound Route 30.
- e) Create a third lane, 430 feet in length, for southbound Huron Avenue to allow the move to Route 30 westbound to operate independently of the remainder of southbound Huron Avenue.
- f) Provide a free flowing right turn from eastbound Route 30 to southbound Illinois Avenue. A third lane must be introduced on southbound Illinois Avenue to accommodate the right turn move from Route 30. The additional lane will necessitate the removal of on street parking. The applicant must secure approval from the City or provide the additional lane while maintaining the parking.
- g) Design and install demand actuated signal timing for the Route 30 Huron Avenue/Illinois Avenue intersection.
- h) Develop and implement a revised bus shuttle circulation plan as permitted by ACTA, to improve the operation of the Route 30/Huron Avenue/Illinois Avenue intersection.
4. In order to assure that this site is used for no more than two years, the applicant shall file quarterly reports with the DEP during the two year term indicating the status of its efforts to lease or purchase an appropriate off-island site; provided that if the applicant is unable to obtain such a site within one year after the issuance of this CAFRA permit, then DEP may identify an appropriate site.
5. No other casinos are permitted to locate parking on the site. The applicant shall not use the site for any purpose other than employee intercept parking.

DEC 21 '89 11:22 DEP 50 STATE ST.

P.4

Page 3 of 4

Trump - Taj Mahal

6. The Applicant shall be required to obtain all required approvals and abide by all appropriate operating conditions placed upon its occupancy by Atlantic City, ACTA, DEP, the New Jersey Department of Transportation, and any other governmental agencies having jurisdiction, and to make all necessary and specified site improvements prior to its occupancy of the site. All NJDOT, ACTA and Atlantic City permit approvals must be obtained for the vehicular shuttle bus circulation plan, and the intersection design and improvements must be implemented prior to operation of the intercept facility.
7. In order to insure compliance with the terms and conditions of this CAFRA permit, including vacating the site at the termination of this permit, the applicant shall be required to post a \$6 million surety bond for the benefit of DEP.
8. Since the applicant's CAFRA permit for casino occupancy of Taj Mahal contains requirements with respect to employee intercept parking, and this CAFRA permit for temporary parking is being relied upon in satisfaction of some of those terms, any failure to comply with the terms of this CAFRA permit shall be grounds for revocation of the CAFRA permit for casino occupancy.
9. The applicant must secure a landfill disruption permit from the Division of Solid Waste Management.

During construction

10. Secure an approved soil conservation and erosion sediment control plan from the Cape Atlantic Soil Conservation District.
11. Provide through this Division the following information which will accompany this decision:
 - a) The applicant must plan, implement and maintain a traffic management program to reduce Vehicle Miles Traveled (VMT) to and from this project. The plan for this program is to be developed and submitted to NJDEP for review and approval within 90 days of the date of permit issuance. The plan shall address, but not be limited to, the elements listed in Attachment 1. Performance goals shall be set, and annual progress reports of the status of planning, implementation, and maintenance of all VMT management shall be submitted to NJDEP.
 - b) Resubmission of the carbon monoxide modeling for affected intersections using the EPA-approved CALINE 3.

1359980-77

DEC 21 '89 11:03 DEP 501 E. GATE ST.

P.5

Page 4 of 4
Trump - Taj Mahal

- c) Supplemental traffic impact information detailing the expected shuttle buses daily arrival and departure volumes from the intercept lot.

b6 -3
b7C -3

2 20/89
DATE

Director
Division of Coastal Resources

Let's protect our earth



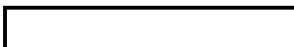
b6 -3
b7C -3

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TRENTON

DIVISION OF COASTAL RESOURCES

March 14, 1990

PLEASE ADDRESS REPLY TO:
CN 401
TRENTON, N.J. 08625



Atlantic City Transportation Authority
1625 Atlantic Avenue
4th Floor
Atlantic City, NJ 08401

b6 -3
b7C -3

RE: Notification of Appeal Settlement
Taj Mahal Interim Employee Parking Lot
CAFRA permit 89-1127-5
Huron Avenue, Atlantic City

Dear :

I write to inform you of this Division's minor modification of the above issued CAFRA permit. This modification will settle an appeal filed by the Trump Taj Mahal Associates, Limited Partnership.

Since you or your agency had participated at the CAFRA public hearing held on August 21, 1989 or submitted written comments on the original application, I wanted to be sure you were made aware of this modification described in the enclosed letter.

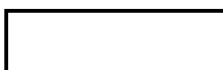
If you wish to appeal the terms of this modification, a written response clearly explaining the basis of your contention must be filed with the Commissioner, Department of Environmental Protection within ten (10) days of your receipt of this notice.



Director

b6 -3
b7C -3

attachment



1359980-79



JOHN F. GAFFNEY
CHAIRMAN

Refer to: JFG/67/90

March 28, 1990

Stillwater Building
201 Shore Road
Northfield, New Jersey 08225
609-645-7700

Atlantic County
Board of Chosen Freeholders

[REDACTED]
Casino Control Commission
Tennessee Ave. & Boardwalk
Atlantic City, NJ 08401

b6 -3
b7C -3

Dear Madam Chairman:

We believe it is imperative to bring to your attention a matter dealing with the Trump Taj Mahal. As you will note from the attached resolution, the Board of Freeholders on Tuesday, March 27, passed a resolution calling for an appeal of the Trump's employee parking lot modifications and a subsequent investigation by an appropriate agency into some apparent inconsistencies or irregularities regarding the construction and permitting of this parking lot.

Both Freeholder [REDACTED] and I are cognizant of the impact of any delays on the opening of the Trump Taj Mahal Casino, but we must weigh those considerations against the fact that this temporary parking lot may create severe hardships on the entire population of the City of Brigantine.

b6 -3
b7C -3

As we are sure you are aware, the traffic congestion in the Huron Avenue Marina Corridor can literally choke off the Island residents from the rest of Atlantic County. It is for these reasons that we would request the Casino Control Commission inquire and investigate the manner in which the Taj's temporary employee parking lot was permitted and subsequently modified to what appears to be extremely accommodating to the Trump Project while abysmally ignorant of the concerns of the residents of Brigantine Island.

We and the residents of Brigantine Island are anxiously awaiting your reply.

Sincerely,

[REDACTED]
Chairman

b6 -3
b7C -3

[REDACTED]
Vice Chairman

cb
Enclosure

1359980-80

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TRENTON

DIVISION OF COASTAL RESOURCES

March 13, 1990

PLEASE ADDRESS REPLY TO:

CN 401

TRENTON, N.J. 08625

b6 -3

b7C -3

[Redacted]
Hannoch Weisman
50 West State Street
Suite 1400
Trenton, NJ 08607-1298

RE: Minor Modification and Settlement of Appeal
CAFRA Permit #89-1127-5
Interim Employee Park Lot (Taj Mahal)
Huron Avenue
Atlantic City, Atlantic County

Dear [Redacted]

Based upon a series of written proposals to this Division dating from January 22, 1990 in which you, on behalf of Trump Taj Mahal, applied to modify CAFRA permit 89-1127-5, and the Division receipt of an appeal also filed by the Trump Organization dated December 28, 1989, I have decided to now issue a minor modification to the original permit and simultaneously settle the pending appeal pursuant to the Coastal Permit Program Regulations (N.J.A.C. 7:7-5.4). Procedurally, notice of this settlement will be published within the DEP Bulletin and this revised language will be distributed to any interested third party who commented on the original application. Any aggrieved party will have ten days from publication in the DEP Bulletin to appeal approval of this modification to DEP Commissioner Yaskin.

I have concluded that the modifications approved in this letter are consistent with the intent of the original decision to insure that the site is used for parking only for a short interim period. CAFRA Permit 89-1127-5 is now modified as described below.

CONDITION NUMBER ONE

Original Language

"The applicant shall not be permitted to enter into a lease for employee intercept parking on the permitted site for more than two years from the date of the issuance of this CAFRA permit."

Page 2 of 6

Taj Mahal Interim Employee Parking Lot



b6 -3
b7C -3

Modified Language

This condition is modified as follows: "Use of the site is authorized for two years from the date of occupancy provided that, prior to occupancy, the applicant provides the Division with a copy of an executed lease with the City of Atlantic City which contains the following language;

"The City and the tenant acknowledge that the use of the property as a parking lot is approved for a period of two years and that any use beyond this time can occur only with the explicit prior approval of the DEP. Furthermore, the City and the tenant acknowledge that the DEP has expressed its strong desire to see this parking located on an off-island intercept site within two years."

CONDITION NUMBER TWO

Original Language

"A plan to enforce the following routing schedule recommended by NJDOT must be submitted for review and approval from the Division: Trump Organization employees inbound on Route 30 must access the intercept site by taking eastbound Route 30 to northbound South Carolina Boulevard to Brigantine Boulevard, to North Carolina Avenue, northbound to North Carolina Avenue to site."

Modified Language

This condition remains unchanged.

CONDITION NUMBER THREE

Original Language

"Interim use of this site for an employee, intercept lot is conditional upon the applicant making the following improvements to the Huron Avenue (Route 87), Illinois Avenue and Route 30 intersection items A-H. Final approval of all roadway improvements by NJDOT must be received by the Division to satisfy this condition."

Items A to G pertain to specific upgrades in routing and expansion of capacity levels.

Page 3 of 6

Taj Mahal Interim Employee Parking Lot



b6 -3
b7C -3

Item H states "develop and implement a revised bus shuttle circulation plan as permitted by ACTA and to improve the operation of the Route 30/Huron Avenue/Illinois Avenue intersection."

Modified Language

The condition is modified to read:

"The applicant is permitted to use the interim parking lot, but must immediately commence construction of all NJDOT required road improvements (as listed below) in a phased timeframe acceptable to NJDOT."

There is no change in items A through G.

h) Develop and implement a revised bus shuttle circulation plan as permitted by ACTA.

* CONDITION NUMBER FOUR

Original Language

"In order to assure that this site is used for no more than two years, the applicant shall file quarterly reports with the DEP during the two year term indicating the status of its priority to lease or purchase an appropriate off-island site provided that if the applicant is unable to obtain such a site within one year after the issuance of this CAFRA permit, then DEP may identify an appropriate site."

Modified Language

This condition is modified to read:

"In order to assure that this site is used for no more than two years, the applicant shall file quarterly reports with the DEP during the two year period indicating the status of its efforts to lease or purchase an off island site that would be consistent with the coastal policies."

Page 4 of 6

Taj Mahal Interim Employee Parking Lot



b6 -3
b7C -3

CONDITION NUMBER FIVE

Original Language

"No other casinos are permitted to locate parking on the site. The applicant shall not use the site for any purpose other than employee intercept parking."

Modified Language

This condition is deleted.

CONDITION NUMBER SIX

Original Language

"The Applicant shall be required to obtain all required to obtain all required approvals and abide by all appropriate operating conditions placed upon its occupancy by Atlantic City, ACTA, DEP, the New Jersey Department of Transportation, and any other governmental agencies having jurisdiction, and to make all necessary and specified site improvements prior to its occupancy of the site. All NJDOT, ACTA and Atlantic City permit approvals must be obtained for the vehicular shuttle bus circulation plan, and the intersection design and improvements must be implemented prior to operation of the intercept facility."

Modified Language

This condition remains unchanged except for the concluding sentence, which is modified to read: "All NJDOT, ACTA and Atlantic City permit approvals must be obtained for the vehicular shuttle bus circulation plan and the intersection design and improvements must be implemented in a schedule approved by those agencies."

CONDITION NUMBER SEVEN

Original Language

"In order to insure compliance with the terms and conditions of this CAFRA permit, including vacating the site at the termination of this permit, the applicant shall be required to post a \$6 million surety bond for the benefit of DEP."

Page 5 of 6

Taj Mahal Interim Employee Parking Lot

b6 -3
b7C -3Modified Language

This condition is modified to read:

"In the event the City lease language specified in Condition One is not formally adopted by the City and applicant prior to occupancy, the applicant will then be required to post a \$6 million dollar security bond to ensure timely vacancy of the site to the Division's satisfaction."

CONDITION NUMBER EIGHTOriginal Language

"Since the applicant's CAFRA permit for casino occupancy of Taj Mahal contains requirements with respect to employee intercept parking, and this CAFRA permit for temporary parking is being relied upon in satisfaction of some of those terms, any failure to comply with the terms of this CAFRA permit shall be grounds for revocation of the CAFRA permit for casino occupancy."

Modified Language

This condition is deleted.

CONDITION NUMBER NINEOriginal Language

"The applicant must secure a landfill disruption permit from the Division of Solid Waste Management."

Modified Language

This condition has been met as the landfill disruption permit has been received by the applicant.

CONDITION NUMBER TENOriginal Language

"Secure an approved soil conservation and erosion sediment control plan from the Cape Atlantic Soil Conservation District."

1359980-85

Page 6 of 6

Tai Mahal Interim Employee Parking Lot

[REDACTED]

b6 -3
b7C -3

Modified Language

This condition remains unchanged.

CONDITION NUMBER ELEVEN

Original Language

This condition requested specific transportation and air quality related information.

Modified Language

This condition is considered met since the information was previously provided.

Construction of this project may commence as soon as the Division receives a written confirmation from the Trump Organization accepting the terms of this permit with conditions as modified by this letter and withdrawing their appeal of the permit. If you or anyone else is aggrieved by this decision an appeal may be filed to the Commissioner of the Department of Environmental Protection within 10 days of the publication of this decision in the DEP Bulletin or in a newspaper whose circulation includes the municipality in which the project is located.

If you have any questions regarding this matter, please contact me at (609) 292-2795.

[REDACTED]

b6 -3
b7C -3

c:

[REDACTED]

Atlantic County Transportation Authority

[REDACTED]

[REDACTED]

1359980-87

Resolution	No.
------------	-----

they will also be greatly exacerbated by the increased traffic that several shifts of workers will create in utilizing the interim parking lot; and

WHEREAS, the amendment and deletion of other conditions in the original permit are not in the public interest and to do nothing to alleviate congested conditions in the area, which conditions can have potentially catastrophic consequences; and

WHEREAS, it would appear that no public entities were given the opportunity to oppose the appeal of Trump Taj Mahal Associates.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF ATLANTIC COUNTY that this Board urges the Executive Branch of the Atlantic County Government to file a formal appeal of the modification of CAFRA Permit 89-1127-5.

BE IT FURTHER RESOLVED that this Board urges an investigation of the modification of the CAFRA permit of December 20, 1989, be conducted by any and all agencies, departments, boards, and investigative bodies (including the Attorney General's Office) having any jurisdiction over the actions of the Department of Environmental Protection, and, if necessary, that the New Jersey Legislature conduct relevant hearings.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor James Florio, State Senator William Gormley, State Assemblywoman Dolores Cooper, State Assemblyman Fred Scerni, the Casino Control Commission, the governing bodies of the City of Brigantine and the City of Atlantic City; *Director of CAFRA & Commissioner of DEP.*

ADOPTED: MARCH 27, 1990

COUNTY OF ATLANTIC

FROM: MC GAHN FRISS MILLER

TO:

6093432202

MAR 28, 1990 2:22PM #775 P.02

Michael D. Miller
& Associates

Environmental
Planning

19 Gordon's Alley
Atlantic City, NJ 08401
(609) 347-9379

March 28, 1990

[REDACTED]
Trump Taj Mahal Associates
Post Office Box 208
Atlantic City, NJ 08404

b6 -3
b7C -3

Re: Huron Avenue Parking Lot

b6 -3
b7C -3

Dear [REDACTED]

I just received a call from [REDACTED] concerning the CAFRA permit for the Huron Avenue parking lot. I understand from [REDACTED] that the final draft permit conditions were distributed to the agencies who opposed the project at the CAFRA hearing. [REDACTED] informed me that the Atlantic County Freeholders do not agree with the new draft conditions and have "appealed" the decision.

b6 -3
b7C -3

[REDACTED] has not seen the appeal and does not know the details, but until this is resolved, he does not think we will be able to occupy the lot. He also stated that we are in violation, since we have constructed the lot without the permit.

Please call me after you have had a chance to review this.

b6 -3
b7C -3

1359980-89

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM

DATE: 12/27/85

TO : SAC (194C-526) (SUB-F) (P)

FROM : SA [REDACTED] (C-12)

b6 -1
b7C -1

SUBJECT: RUNNYMEDE;
HA-CPO;
RICO;
(OO:NY)

The following numbers were obtained from Title III Tesur surveillance in captioned matter. All were checked through New York Coles Directories by Accounting Technician [REDACTED] for subscriber and address. They are as follows:

b6 -1
b7C -1

Subscriber Address

Subscriber	Address
[REDACTED]	

b3 -4
b6 -2
b7C -2

SKY:cp
(1)

INDEX ENTIRE MEMO BY
PHONE #'S AS INDICATED BY
FILE # SKY

159

194C-526 SUB FFF

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 9 1986	
FBI-NEW YORK	
[REDACTED]	

1359980-132

b6 -1
b7C -1

NY 194C-526 SUB-F

Subscriber

Address

--

b3 -4
b6 -2
b7C -2

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Standard Star
New Rochelle NY

Date:

Edition:

January 27, 1997

Title:

Character:

or

Classification:

Submitting Office:

Indexing:

The relationship between Westchester District Attorney Jeanine Pirro and her attorney husband, Al, is mutually beneficial. Those benefits were detailed in the Jan. 15 filing of Mrs. Pirro's campaign committee.

It showed contributions and expenses for the campaign's Oct. 26 masquerade ball at the Seven Springs mansion in North Castle, which is owned by the Trump Organization. Mr. Pirro represents Trump in his bid to build a golf course there and several of Pirro's other clients bought tickets to the affair.

The campaign also paid Trump just \$250 to rent the sprawling mansion for the evening. State regulations require the disclosure of any gifts made to a campaign if a candidate doesn't pay fair-market value for the service.

Mrs. Pirro's spokeswoman Maureen Connelly said \$250 was a fair price for "an unoccupied house." She said Seven Springs was in such sorry shape that the campaign had to spend several thousand dollars to clean it up and install temporary lighting. Those expenses were reported.

So that means that Mrs. Pirro's campaign made improvements on property owned by Mr. Pirro's client. The Trump camp was pleased.

"We are very grateful to them for getting Seven Springs in good condition," said Trump spokeswoman Norma Foerderer. "We got the strong end of that deal."

194B-WT-245935 Sub E

-42

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 28 1997	
NEW YORK	

Idi

b6 -1
b7C -1

Memorandum



To : SAC, DIV. II

Date 4/27/82

From : SA [redacted]

b6 -1,-2
b7C -1,-2

Subject : UNSUB, aka [redacted] (LNU);
Anthony B. Gliedman, Commissioner
Department of Housing preservation
and Development, 100 Gold Street,
NY, NY - Victim
Hobbs Act
OO: NY

Reference memo from Supervisor [redacted]
dated 4/21/82.

b6 -1,-2,-6
b7C -1,-2,-6

On 4/21/82 SA [redacted] contacted Commissioner Gliedman by telephone and advised him on the contents in referenced memo. GLIEDMAN advised that he received a telephone call at home at approximately 7:00 am on 4/20/82 threatening his life over a tax abatement issue concerning DONALD TRUMP. The caller identified himself as [redacted] (LNU) AND became very abusive and profane regarding GLIEDMAN's inability to approve Mr. TRUMP's request for a tax abatement.. GLIEDMAN contacted BOB RUINN, Police Commissioner (745-8400) who assigned [redacted] CO OF the Intelligence Unit and [redacted] to the case.

On 4/22/82 SA [redacted] met with GLIEDMAN, [redacted] and [redacted] and relayed to them the contents of referenced memo. [redacted] stated that police protection was being given to GLIEDMAN and that his office was conducting a full investigation to determine the identity of the caller.

b6 -1,-6
b7C -1,-6

On 4/26/82 SA [redacted] met with DONALD TRUMP and he could not add any thing that was significant to what he had already reported. He did state that the police had installed a tape recorder to his telephone.

b6 -1
b7C -1

In view of the above it is not recommended that a case be opened at this time.

194-39-109A

SEARCHED	INDEXED
SERIALIZED	FILED
APR 27 1982	
FBI - NEW YORK	

are strictly business and that he harbors no ill feelings towards GLIEDMAN. TRUMP indicated to writer that for every project he is turned down on there are others that are accepted. TRUMP advised it is strictly business. TRUMP advised writer that he feels compelled to bring these conversations to the attention of the FBI because he is not capable of determining by himself whether the calls are simply a crank or the threats are intended to be carried out. TRUMP advised he does not wish his motives to be misconstrued but is merely passing on this information not only for his own safety but for the safety of Commissioner GLIEDMAN. TRUMP advised that any future calls by [REDACTED] (LNU) will be immediately reported to this office. TRUMP further stated that if he can be of any further assistance in this matter he will be available.

b6 -2
b7C -2

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM

DATE: 4/21/82

TO : SAC, II
(ATTN: SUPERVISOR [REDACTED])

b6 -1,-2
b7C -1,-2

FROM : SUPERVISOR [REDACTED] (M-S)

SUBJECT: [REDACTED] (LNU); ANTHONY B. GLIEDMAN,
COMMISSIONER, DEPARTMENT OF
HOUSING PRESERVATION AND DEVELOPMENT,
100 GOLD STREET, NY, NY - VICTIM
HOBBES ACT

Reconversation between Supervisor [REDACTED] and
[REDACTED] on 4/21/82.

b6 -1
b7C -1

On 4/21/82, DONALD TRUMP of the Trump Organization, 730
Fifth Avenue, NY, NY, telephone number 977-8424, telephonically
contacted writer and advised him as follows:

On or about 4/19/82, TRUMP received a telephone call
from a [REDACTED] (LNU) who indicated that he [REDACTED] was going to
"kill" Commissioner GLIEDMAN. [REDACTED] (LNU) indicated to TRUMP that
he [REDACTED] had read about TRUMP's tax abatement problems with
Commissioner GLIEDMAN. [REDACTED] advised TRUMP that [REDACTED] had
been "shafted" by GLIEDMAN and, for that reason, was going to
retaliate. On 4/20/82 between 3:00 p.m. and 3:30 p.m., DONALD
TRUMP again received a phone call from [REDACTED] (LNU) who indicated
that he was going to "kill" TRUMP if Mr. TRUMP told the
authorities anything concerning their prior conversation.

b6 -2
b7C -2

TRUMP advised that he does not know this [REDACTED] (LNU);
however, [REDACTED] (LNU) had indicated to him in the first telephone
call that he had worked on one of TRUMP's prior projects. TRUMP
advised that since he has so many projects and so many people
working on these projects, [REDACTED] (LNU's) identity is unknown to
him. TRUMP stated that his dealings with Commissioner GLIEDMAN

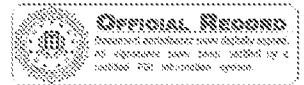
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UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION****Complaint Form****Title:** (U) Publishers Clearing House Scam**Date:** 06/10/2014**CC:** [REDACTED]b6 -1
b7C -1
b7E -1**Approved By:** SSA [REDACTED]**Drafted By:** [REDACTED]**Case ID #:** [REDACTED]**Complaint Synopsis:** (U) Advance fee scheme scam**Received On:** 06/02/2014**Receipt Method:** Telephone**Incident Type:** Criminal Activity**Complaint Details:**

[REDACTED] was contacted by [REDACTED] and [REDACTED]
[REDACTED] from the Donald Trump Organization, claiming she had won money in a lottery. She was told that she had to pay them money in order to get her winnings. She has sent \$23,000 to at least four different people and when she was told that she needed to send even more she told them she couldn't send them anymore money. The people she sent money to were:

b6 -2,-5
b7C -2,-5

[REDACTED] Bronx, NY 10467

b6 -2
b7C -2

[REDACTED] Lauderhill, Florida
33311

[REDACTED] Valleystream, NY, 11581

[REDACTED] Lauderhill,
Florida 33313

UNCLASSIFIED

1359980-64

UNCLASSIFIED

Title: (U) Publishers Clearing House Scam

Re: [REDACTED] 06/10/2014

b7E -1

The phone number [REDACTED] was called from is [REDACTED] It is a Jamaican phone number. When [REDACTED] called this number she was told it was for Publisher's Clearing House. [REDACTED] can be reached at [REDACTED] This is a new phone number due to the harassing phone calls from these scammers.

b6 -2,-3,-5
b7C -2,-3,-5

Entities:

[REDACTED] (Complainant, Person, U.S. Person? Unknown)

b6 -5
b7C -5

Name/Biographical Information

Name: [REDACTED]

Minor? No

Has Diplomatic Status? No

Communication Account

Type: Telephone

Account: [REDACTED]

Association: Subscribes to

Publishers Clearing House (Reference, Organization, U.S. Person? Unknown)

[REDACTED] (Reference, Person, U.S. Person? Unknown)

b6 -2
b7C -2

Name/Biographical Information

Name: [REDACTED]

Minor? No

Has Diplomatic Status? No

Location

Address: [REDACTED]

City: Valleystream

State: NY

Zip Code: 11581

Country: United States

[REDACTED] (Reference, Person, U.S. Person? Unknown)

b6 -2
b7C -2

Name/Biographical Information

Name: [REDACTED]

Minor? No

UNCLASSIFIED

UNCLASSIFIED

Title: (U) Publishers Clearing House Scam

Re: [REDACTED] 06/10/2014

b7E -1

Has Diplomatic Status? No

Location

Address: [REDACTED]

b6 -2
b7C -2

City: Lauderhill

State: FL

Zip Code: 33313

Country: United States

[REDACTED] (Reference, Person, U.S. Person? Unknown)

b6 -2
b7C -2

Name/Biographical Information

Name: [REDACTED]

Minor? No

Has Diplomatic Status? No

Location

Address: [REDACTED]

City: Lauderhill

State: FL

Zip Code: 33311

Country: United States

[REDACTED] (Reference, Person, U.S. Person? Unknown)

b6 -2
b7C -2

Name/Biographical Information

Name: [REDACTED]

Minor? No

Has Diplomatic Status? No

Location

Address: [REDACTED]

City: Bronx

State: NY

Zip Code: 10467

Country: United States

Donald Trump Organization (Reference, Organization, U.S. Person? Unknown)

UNCLASSIFIED

UNCLASSIFIED

Title: (U) Publishers Clearing House Scam

Re: [REDACTED] 06/10/2014

b7E -1

[REDACTED] (Reference, Person, U.S. Person? Unknown)

b6 -2
b7C -2

Name/Biographical Information

Name: [REDACTED]

Minor? No

Has Diplomatic Status? No

Communication Account

Type: Telephone

Account: [REDACTED]

[REDACTED] (Reference, Person, U.S. Person? Unknown)

Name/Biographical Information

Name: [REDACTED]

Minor? No

Has Diplomatic Status? No

Communication Account

Type: Telephone

Account: [REDACTED]

b6 -2
b7C -2

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UNCLASSIFIED

Copr. (C) West 1994 No claim to orig. U.S. govt. works
Not Reported in F.Supp.
(Cite as: 1994 WL 592208 (S.D.N.Y.))

Joseph HARDY and Harvey L. Sherrod, individually and as a participant in the Local 95 Insurance Trust Fund and the Local 95 Pension Fund, and on behalf of all other persons who are, will be, or have at any time since January 1, 1980 been participants or beneficiaries in the Funds, similarly situated, Plaintiff,

v.

KASZYCKI & SONS CONTRACTORS, INC.; William Kaszycki; John Senyshyn; Trump-Equitable Fifth Avenue Company; Donald J. Trump; Donald J. Trump d/b/a The Trump Organization; and The Equitable Life Assurance Society of the United States, Defendant
No. 83 CIV. 6346 (KTD).

United States District Court, S.D. New York.
Oct. 26, 1994.

Jay Goldberg, P.C., New York City, for Trump defendants; Judd Burstein, Karen A. Murphy, of counsel.
Steel, Bellman, Ritz and Clark, P.C., New York City; Wendy E. Sloan, Miriam F. Clark, Lewis M. Steel, of counsel.

MEMORANDUM & ORDER

KEVIN THOMAS DUFFY, District Judge.

*1 This case, hoary with age, has recently been transferred to my docket. In the files, I discovered cross-motions for summary judgment and for leave to amend the answer. In addition, defendants' move to strike plaintiff's jury demand. The summary judgment motions are in all respects denied as is the motion to amend the answer and to strike the jury demand. Questions of fact abound prohibiting the granting of summary judgment. See generally Fed.R.Civ.P. 56. The motion to amend the answer in this eleven year old case, if granted, would just start another round of fruitless discovery. There must be an end to all litigation; even Jarndyce v. Jarndyce ground down to a conclusion.

FACTS [FN1]

Sometime in late 1979 or early 1980, Trump-Equitable hired defendant William Kaszycki and his company, Kaszycki & Sons Contractors, Inc. (collectively the "Kaszycki Defendants"), to demolish the Bonwit Teller building in Manhattan. Diduck, 774 F.Supp. at 805. The building was demolished to make way for Trump Tower. Id. Kaszycki had never performed a total demolition before undertaking the Bonwit Teller job, id., and apparently formed the Kaszycki Corporation for this sole purpose. (Transcript of Trial (hereinafter "Tr.") at 594). Thereafter, the Kaszycki Corporation did not do any other total demolition jobs. (Tr. at 594).

Pursuant to an agreement that was signed on January 29, 1980, the Kaszycki Corporation was responsible for the labor, equipment and supplies required to demolish the building. Diduck, 774 F.Supp. at 805. The agreement also provided that the Kaszycki Corporation was responsible for the hiring, firing and supervision of its employees engaged in the demolition job. (Trump Defendants 3(g) Statement, P 2). The Kaszycki Corporation was to be paid \$775,000 for this work. Diduck, 774 F.Supp. at 805.

The Kaszycki Corporation employed Polish workers who were paid "off-the-books". Id. No records were kept, no taxes were withheld and the pay was not in accordance with the wage laws. Id. at 805-06. Based on these practices, Kaszycki was later found to have violated certain sections of the Fair Labor Standards Act. See Donovan v. Kaszycki, 599 F.Supp. 860, 864 (S.D.N.Y.1984). Donald Trump visited both the Bonwit Teller job and an adjoining job where he noted that the Polish workers were good workers. Diduck, 774 F.Supp. at 805.

In or around March of 1980, members of Local 95 started working on the site. Id. at 805. Although the Polish workers were told that they would be discharged, some continued to work until June, 1980. Id. At some point, the Kaszycki Corporation and Local 95 entered into a collective bargaining agreement ("CBA") that covered the period from July 1, 1978 to June 30, 1981. Id. at 809. The CBA required the Kaszycki Corporation to make payments to the Local 95 Insurance Fund at a rate of eight percent of the "total wages paid to workers covered" by the agreement. Id. at 810 (quoting from the CBA P 33). In addition, the CBA required contributions to the Local 95 Pension Fund at a rate of ten percent of the total wages paid to workers. Id. The Polish workers were doing work covered by the CBA, and thus contributions for that work were due to the Funds. Diduck, 974 F.2d at 274. Thomas Macari, the vice president of Trump-Equitable, was not told about the CBA until after it was signed. Diduck, 774 F.Supp. at 810.

*2 In March, 1980, John Senyshyn [FN2] was the president of Local 95, and consequently was a trustee of both Funds. Diduck, 974 F.2d at 274. Senyshyn and John Osijuk were shop stewards at the demolition site. Id. This position required them to prepare and file with Local 95 weekly reports listing all workers, hours worked and wages. Id. Local 95 would then compare these reports with the payroll reports submitted by the Kaszycki Corporation to insure that the proper contributions to the Funds were being made. Id. In the instant case, neither the Kaszycki Corporation's nor the shop stewards' reports indicated the presence of Polish workers at the demolition site. Id. Thus, contributions to the Funds for their work were not made. Id.

Macari was Trump-Equitable's manager responsible for the demolition of the building. *Diduck*, 774 F.Supp. at 808. On May 9, 1980, Macari took over control of the finances for the demolition job from Kaszycki. *Id.* at 809. A special bank account was opened for the Kaszycki Corporation that required Macari's signature for all checks and withdrawals. *Id.* The bank signature card falsely identified Macari as a vice president of Kaszycki Corporation. *Id.* This special account was established to insure that payments would be made to the union members, the Funds, taxes, insurance and sick payments. *Id.* After May 9, no Trump-Equitable payments for the demolition job were made directly to the Kaszycki Defendants; rather, these payments were only made into this special account. *Id.*

"After May 9, Macari saw to it that bills were paid, that the workers were paid, that work was done, and personally signed for deliveries. He actively participated in paying the union workers. Trump-Equitable paid the union workers' payroll and suppliers of materials for the demolition job from this special account. In addition Trump-Equitable paid bills for the demolition job directly, apart from the special account." *Id.* (citations omitted). Kaszycki testified at trial that Macari "was running the show. He was in charge of the--he was representing Mr. Trump." (Tr. at 654). Kaszycki also testified in a deposition that about midway through the demolition project "I lost control of paying. Trump Organization, they pay to everybody. They gave me no money and they were making the payroll." *Diduck v. Kaszycki & Sons Contractors, Inc.*, 874 F.2d 912, 915 (2d Cir.1989).

When these payments were made, "Trump-Equitable sent the Funds receipts stating that it was making the payments 'On behalf of Kaszycki & Sons Contractors, Inc. The Funds treated the checks as payments from the Kaszycki Corporation--not from Trump-Equitable--in its records. Macari informed the Kaszycki Corporation about these payments and advised the company that Trump-Equitable would hold it responsible for them." *Diduck*, 874 F.2d at 915. No action was ever taken by Trump-Equitable against the Kaszycki Corporation, apparently because it was insolvent. In late June, 1980, Macari determined that the Polish workers were no longer needed, and they were let go. *Diduck*, 774 F.Supp. at 809.

PRIOR PROCEEDINGS

*3 This action was commenced in August, 1983. The complaint alleged various causes of action. Plaintiffs have been granted a default judgment against the Kaszycki Defendants. In 1984, in an unrelated action stemming from the same events that gave rise to this case, the Honorable John E. Sprizzo of this Court found that the Kaszycki Defendants had violated various provisions of the Fair Labor Standards Act. See *Donovan v. Kaszycki & Sons Contractors, Inc.*, 599 F.Supp. 860 (S.D.N.Y.1984). Judge Sprizzo awarded the Polish workers a total of \$254,523.59 in unpaid wages and overtime compensation, and the same amount as liquidated damages. *Id.* at

872. In 1988, Judge Stewart granted the Trump Defendants motion for summary judgment on what is now Plaintiffs' first cause of action. The Second Circuit reversed this decision in 1989. *Diduck*, 874 F.2d at 912.

The following year, Judge Stewart again granted the Trump Defendants' motion for summary judgment on the first cause of action, holding that the Plaintiffs' failure to comply with Rule 23.1 of the Federal Rules of Civil Procedure was not excused. *Diduck*, 737 F.Supp. at 802. Judge Stewart also permitted the Plaintiffs to amend their complaint by adding the Trump Defendants to what is now their second cause of action. *Id.* at 807. Following the sixteen day non-jury trial, Judge Stewart found that defendant Senyshyn had breached his fiduciary duties, and that the Trump Defendants had participated in this breach and were therefore jointly and severally liable. *Diduck v. Kaszycki & Sons Contractors, Inc.*, 774 F.Supp. 802 (S.D.N.Y.1991). Judge Stewart ruled that \$325,415.84 in contributions to the Funds should have been made on behalf of the Polish workers. *Id.* at 814. Judge Stewart also specifically held that the Trump Defendants' liability was based on their participation in the fiduciary breach.

On appeal, the Second Circuit affirmed in part and reversed in part. As to the first cause of action, the Court held that the demand requirement of Rule 23.1 was excused because such a demand would have been futile. *Diduck*, 974 F.2d at 287. As a result, the first cause of action is currently before this Court. As to the second cause of action, the Court affirmed Judge Stewart's decision except as to the finding of damages. *Id.* at 279. The Court held that Senyshyn could not be liable for fund contributions owed for work done by the Polish workers before Local 95 arrived on the job. *Id.* at 277. In addition, the Court remanded to determine the causal connection between the breach of fiduciary duty and the Fund's losses. *Id.* at 279. Specifically, on remand the trial court was to determine whether Trump-Equitable--given that it had paid \$68,000--would have paid an additional \$325,000 in Fund contributions. *Id.* In January, 1994, the case was reassigned to this Court. On March 9, 1994, the instant motions were fully submitted.

DISCUSSION

Summary Judgment

*4 Summary judgment shall be granted "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law." Fed.R.Civ.P. 56(c). The moving party bears the initial burden of showing the absence of a genuine issue of material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986). In determining whether any material facts are in dispute, I must draw all inferences in favor of the non-moving

party. See *Delaware & Hudson Ry. v. Consolidated Rail Corp.*, 902 F.2d 174, 177 (2d Cir.1990), cert. denied, 500 U.S. 928 (1991).

The ultimate inquiry for a summary judgment motion is "whether the evidence presents a sufficient disagreement to require submission to a jury or whether it is so one-sided that one party must prevail as a matter of law." *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 251-52 (1986). When opposing parties cross-move for summary judgment, courts "must evaluate each party's motion on its own merits, taking care in each instance to draw all reasonable inferences against the party whose motion is under consideration." *Heublein, Inc. v. United States*, 996 F.2d 1455, 1461 (2d Cir.1993) (citations omitted).

The First Cause of Action

Both sides move for summary judgment as to the first cause of action, which alleges that the Trump Defendants are liable for the contributions to the Funds pursuant to Section 515, which is enforced under 29 U.S.C. s 1132(g)(2). *Diduck*, 974 F.2d at 287.

The Plaintiffs assert that the facts found by Judge Stewart in determining that the Trump Defendants were liable for knowingly participating in a breach of fiduciary duty collaterally estop the Trump Defendants from relitigating those facts as they apply to the first cause of action. When Judge Stewart ruled in favor of the Plaintiffs' breach of fiduciary duty claim, he specifically noted: "The Trump [D]efendants are liable because we find that they knowingly participated in [Senyshyn's] breach, not because we find they were the employer." *Diduck*, 774 F.Supp. at 814 (emphasis added). Furthermore, in a footnote, Judge Stewart stated: "we emphasize that the Trump [D]efendants' liability stems from our finding that they participated in the fiduciary breach. We do not rule on the question of whether they were employers...." *Id.* at 814 n. 1 (emphasis added).

Collateral estoppel, or issue preclusion, prevents a party from "relitigating in a second proceeding an issue of fact or law that was litigated and actually decided in a prior proceeding, if that party had a full and fair opportunity to litigate the issue in the prior proceeding and the decision of the issue was necessary to support a valid and final judgment on the merits." *Metromedia Co. v. Puzazy*, 983 F.2d 350, 365 (2d Cir.1992), cert. denied, 113 S.Ct. 2445 (1993) (citations omitted). While Judge Stewart made no legal conclusion that the Trump Defendants were employers as defined by Section 515, it is less certain that the findings made in reaching the breach of fiduciary claim ipso facto have preclusive effect as to the first claim. For a factual or legal issue to have preclusive effect, it must be identical to the issue determined in the prior proceeding. *Id.* Moreover, issues of fact bearing the same label are not identical "if the legal standards governing their resolution are significantly different." *Id.* (citations omitted). [FN3]

*5 To be liable under Section 515, the Plaintiffs necessarily contend that the Trump Defendants should be considered an employer who is thus obligated to the Funds for the past-due contributions under the CBA. [FN4] The term "employer" is defined in 29 U.S.C. s 1002(5) as "any person acting directly as an employer, or indirectly in the interest of an employer, in relation to an employee benefit plan...." Most courts, however, consider the issue to be not whether a defendant fits within the ERISA definition of "employer" but rather whether such a defendant is an "employer who is obligated to make contributions to a multiemployer plan." 29 U.S.C. s 1145. See *Sasso v. Cervoni*, 985 F.2d 49, 50 (2d Cir.), cert. denied, 113 S.Ct. 2964 (1993). See also *International Bd. of Painters v. George A. Kracher, Inc.*, 856 F.2d 1546, 1547-48, 1550 (D.C.Cir.1988); *Mason Tenders District Council Welfare Fund v. Dalton*, 648 F.Supp. 1309, 1318 (S.D.N.Y.1986). Generally, an employer becomes obligated to make contributions when it has signed a collective bargaining agreement.

Although the Trump Defendants did not sign the CBA, nonsignatories to collective bargaining agreements can be held liable pursuant to Section 515 in special circumstances. See *Starrett Paving*, 845 F.2d at 26 (piercing corporate veil permissible under Section 515); *Leddy v. Standard Drywall, Inc.*, 875 F.2d 383, 388 (2d Cir.1989) (controlling corporate official who conspires to defraud benefit funds can be liable under Section 515). Courts have also held that successors may be liable under Section 515. See *Upholsterers' Int'l Union Pension Fund v. Artistic Furniture of Pontiac*, 920 F.2d 1323, 1327 (7th Cir.1990). Cf. *Stotter Div. of Graduate Plastics Co. v. District 65*, 991 F.2d 997, 1002 (2d Cir.1993). Moreover, in this case the Second Circuit has twice acknowledged the viability of a joint employer theory under Section 515 by permitting the Plaintiffs to maintain their cause of action. *Diduck*, 974 F.2d at 287, 291; *Diduck*, 874 F.2d at 918, 921-23.

A. Joint Employer

The Plaintiffs contend that Trump-Equitable maintained sufficient control over the Polish workers to qualify as a joint employer with the Kaszycki Corporation, and therefore is liable for the unpaid contributions pursuant to Section 515. In a joint employer situation, it is assumed that the two employers are separate legal entities, but "have merely chosen to handle certain aspects of their employer-employee relationships jointly." *Clinton's Ditch Co-op Co. v. N.L.R.B.*, 778 F.2d 132, 137 (2d Cir.1985) (citations omitted), cert. denied, 479 U.S. 814 (1986). Therefore, it is necessary to determine if one or both entities controlled the labor relations of certain workers. *Browning-Ferris*, 691 F.2d at 1122-23.

Drawing all reasonable inferences against the moving Plaintiffs, it is clear that there are disputed issues of fact that prevent granting summary judgment in their favor. Genuine issues of material fact exist as to whether or not Trump-Equitable could

be considered a joint employer. Accordingly, the motion for summary judgment and the cross motion are denied.

B. Successor Employer

*6 The Plaintiffs also contend that the Trump Defendants are liable as a successor employer. Specifically, the Plaintiffs allege that after May 9, 1980--when Macari took over control of the finances for the demolition job-- Trump-Equitable essentially succeeded the Kaszycki Corporation as employers of both the Local 95 and Polish workers. As a result, the Plaintiffs contend that the Trump Defendants assumed the Kaszycki Corporation's obligations under the CBA.

While the Second Circuit has not explicitly held that a successor is liable for a predecessor's failure to make ERISA contributions, it has cited with approval to several cases that have so held. See *Stotter Div. of Graduate Plastics Co. v. District 65*, 991 F.2d 997, 1002 (2d Cir.1993). This determination is also fact specific and sufficient genuine issues of fact are present which preclude summary judgment.

C. Conspiracy to Defraud

Plaintiffs also contend that the Trump Defendants are liable under Section 515 because they "knowingly participated in a scheme to deprive the Funds of contributions due on behalf of the non-union Polish workers; they conspired with the employer (Kaszycki) and the Funds Trustee (Senyshyn) to employ the non-union Polish workers 'off-the-books' and deprive them of pension and welfare contributions owed to the Funds on their behalf." (Pl.'s Br. at 33).

The Second Circuit has acknowledged that it has not established the outer boundaries of individual liability for a corporation's ERISA obligations. See *Sasso v. Cervoni*, 985 F.2d 49, 51 (2d Cir.), cert. denied, 113 S.Ct. 2964 (1993). Thus, in *Sasso*, the Second Circuit pointed out that in "special circumstances" individual liability was warranted. *Id.* at 50. These "special circumstances" included corporate officers who conspired to defraud ERISA funds as well as non-fiduciaries who participated in a fiduciary's breach of ERISA trust obligations. *Id.* at 50-51.

While *Leddy* could be read to limit the imposition of individual liability to those who are "controlling corporate officials," the case law permits a broader interpretation. See *Sasso*, 985 F.2d at 51. The legislative purpose of ERISA would not be advanced if individuals who were not controlling corporate officials but nonetheless conspired to defraud employee benefit plans could not be held liable under Section 515. [FN5]

The Second Cause of Action

The Trump Defendants contend that the Plaintiffs' second cause of action is barred by the recent Supreme Court decision in *Mertens v. Hewitt Assoc.*, 113 S.Ct. 2063 (1993). This claim alleges that the Trump Defendants, as non-fiduciaries, knowingly participated in defendant Senyshyn's breach of his fiduciary duty to the Funds.

In the instant motion, there is a genuine issue of material fact that requires a trial to determine whether the Plaintiffs are entitled to restitution from the Trump Defendants. Specifically, the trier must determine whether the Trump Defendants were unjustly enriched by benefitting from Local 95's continued labor without making contributions to the Funds for the Polish workers. Accordingly, the Trump Defendants motion for summary judgment on the second cause of action is denied.

*7 For the reasons stated above, all motions and cross motions for summary judgment are denied.

The Trump Defendants move in the alternative to strike the Plaintiffs' demand for a jury trial on their first cause of action. The motion is hereby denied. Additionally, Plaintiff's motion to amend the complaint is denied.

SO ORDERED.

FN1. The underlying facts of this case have been set forth in several prior opinions. See, e.g., *Diduck v. Kaszycki & Sons Contractors, Inc.*, 774 F.Supp. 802 (S.D.N.Y.1991), *aff'd in part and rev'd in part*, 974 F.2d 270 (2d Cir.1992). Familiarity with these opinions is presumed, and only those facts necessary to put the present motions in context will be recited. The following recitation is based on the findings of fact from the sixteen day non-jury trial before the Honorable Charles E. Stewart of this Court, see *id.*, on certain deposition and trial testimony, and on those facts that are undisputed in the parties' statements pursuant to Local Rule 3(g).

FN2. Until he passed away, John Senyshyn had been a defendant in this action. In December, 1993, Judge Stewart granted the Plaintiffs' motion to substitute Stella Senyshyn, as the representative of the Estate of John Senyshyn, as a defendant. (Memorandum Decision, Dec. 13, 1993).

FN3. The Trump Defendants' contention that Judge Sprizzo's findings in *Donovan v. Kaszycki & Sons Contractors, Inc.*, 599 F.Supp. (S.D.N.Y.1984) collaterally estop the Plaintiffs from pursuing this cause of action is misplaced. The "basic premise of preclusion is that parties to a prior action are bound and nonparties are not bound." Wright, Miller & Cooper Federal Practice and Procedure, s 4449. In *Donovan*, the Secretary of Labor brought an action against the Kaszycki Defendants pursuant to the Fair Labor Standards Act. Neither the Plaintiffs nor the Trump Defendants were parties to that action.

FN4. Section 515 provides: Every employer who is obligated to make contributions to a multiemployer plan under the terms of the plan or under the terms of a collectively bargained agreement shall, to the extent not inconsistent with law, make such contributions in accordance with the terms and conditions of such plan or such agreement. 29 U.S.C. s 1145.

FN5. As noted by Judge Stewart, Thomas Macari was intimately involved in the Kaszycki Corporation's operations at the demolition site. Indeed, in May, 1980, Macari took over the finances of the demolition job from Kaszycki. *Diduck*, 774 F.Supp. at 809. Macari "knew the Polish workers were working 'off the books,' that they were doing demolition work, that they were non-union, that they were paid substandard wages with no overtime pay, and that they were paid irregularly if at all." *Id.* at 812. Moreover, before authorizing Trump-Equitable to make contributions to the Funds, Macari carefully checked the list of employees on the employer's report, and knew that this report was did not accurately list all of the workers at the demolition site. *Id.* at 813.

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April 16, 2004

FBI
Attn: Special Agent,
[redacted]
3301 W. Memorial Rd.
Oklahoma City, OK 73134-8801

b6 -1
b7C -1

Dear Special Agent [redacted]

Recently, documents were sent to this address by certified mail but not directly to anyone by name. [redacted] unit chief, from the Washington, D.C. office also received documents but he forwarded them to this address, Economic Crimes Unit. Hopefully, you've had time to review them.

An investigation is utmost urgent now since there has been serious controversy occurring within the past weeks. I request an investigation of [redacted] regarding the money he received from the Trump organization in March-Sept 2003. [redacted] members of the Economic Development Authority Board received approximately \$215,000 during this period [redacted]

b6 -2
b7C -2

Enclosed is a copy of an income statement that he turned in but it does not show the actual amount spent. This was not satisfactory. To this day, the members have not received a report of the money.

[redacted] continues to meet with consultants (see enclosure) but again, he does not mention the money. When asked about it, he states it is confidential. I suspect him of illegal activities due to his confidentiality and refusal of the report. He lives at [redacted]

b6 -2
b7C -2

[redacted] OK and works at [redacted] in [redacted] OK

I have exhausted all other remedies to implement an investigation. I would appreciate your immediate response. Your involvement is urgently needed. You can contact me at [redacted]

Sincerely,

[redacted]
Kialegee Tribal Town

b6 -3
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APR 26 2004
FBI - OKLAHOMA CITY

1359980-19

INCOME STATEMENT

FOR THE 11 PERIODS ENDED AUGUST 31, 2003

	YEAR TO DATE	
	ACTUAL	PERCENT
Revenue		
LETTER OF INTENT INCOME	\$190,000.00	100.0 %
TOTAL Revenue	190,000.00	100.0
Gross Profit	190,000.00	100.0
Operating Expenses		
DISTRIBUTIONS TO MEMBERS	9,500.00	5.0
WAGES AND SALARIES	9,720.00	5.1
EMPLOYER'S FICA AND MEDICARE	743.58	.4
OKLAHOMA UNEMPLOYMENT TAX	272.16	.1
CONTRACT LABOR	2,276.23	1.2
MEETING STIPEND	4,250.00	2.2
TRAVEL STIPEND	8,100.00	4.3
CONSULTANT EXPENSES	111,411.44	58.6
LEGAL & PROFESSIONAL FEES	8,806.89	4.6
DUES & SUBSCRIPTIONS	30.00	0
REIMBURSED MEALS	1,000.25	.5
REIMBURSED TRAVEL/LODGING	1,285.00	.7
REIMBURSED MILEAGE@ .36	2,422.22	1.3
OFFICE SUPPLIES	1,710.95	.9
TELEPHONE, FAX, I-NET	933.54	.5
PROPERTY RENT	300.00	.2
CONVENTION, SEMINAR, CONT. ED.	1,505.00	.8
LICENSES & FEES	20.00	0
BOOKS & PERIODICALS	72.65	0
REIMBURSED VEHICLE RENTAL	1,034.45	.5
VEHICLE EXPENDITURES	160.26	.1
TRAVEL/LODGING EXPENDITURES	941.66	.5
MEALS & ENTERTAINMENT	175.00	.1
TOTAL Operating Expenses	166,671.28	87.7
Net Income from Operations	23,328.72	12.3
Earnings before Income Tax	23,328.72	12.3
Net Income (Loss)	\$23,328.72	12.3 %

AUGUST 31, 2003

Liabilities AND Equity

Current Liabilities

FICA WITHHELD AND ACCRUED	\$1,205.28	
MEDICARE WITHHELD AND ACCRUED	281.88	
FEDERAL WITHHOLDING PAYABLE	934.00	
STATE WITHHOLDING PAYABLE	495.38	
STATE UNEMPLOYMENT PAYABLE	272.16	
TOTAL Current Liabilities		3,188.70
TOTAL Liabilities		3,188.70

Equity

RETAINED EARNINGS - PRIOR	.00	
Retained Earnings-Current Year	23,328.72	
TOTAL Equity		23,328.72
TOTAL Liabilities AND Equity		\$26,517.42

AUGUST 31, 2003

Assets

Current Assets

CASH ON HAND	\$40.00	
FIRST NATIONAL BANK- OPERATING	12,367.10	
BANK OF COMMERCE- MEMBERS FUND	10,415.00	
	<hr/>	
TOTAL Current Assets		22,822.10

Fixed Assets

COMPUTER EQUIPMENT	3,695.32	
	<hr/>	
TOTAL Fixed Assets		3,695.32
		<hr/>
TOTAL Assets		\$26,517.42
		<hr/>

KIALEGE TRIBAL TOWN EDA
Quarterly Report

DATE; December 29,2003

October 2003; During this month the EDA continued to work with the consultants and waiting news from Trump to see how to continue our project. We received a letter from Trump & Casino Resorts on October 20th, which the letter was given to committee members.

November 2003; we continued to have contact with the consultants and they have been working trying to find other resources to continue our project. Also we have been in contact with the attorney [redacted] to find resources in Oklahoma. The problem we are having is getting land in trust. We have also been contacted by a tribal member who has trust land available for additional projects.

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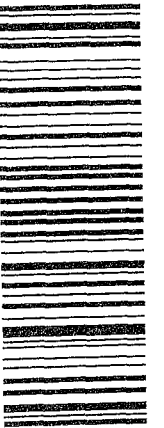
December 2003;

This month due to our finances, EDA office manager started working on the Solid Waste Grant. This started December 2,2003 to January 9 2003. Our consultant [redacted] was ill and off work for 2 weeks, he is now back to work and has set up meetings with consultants and other investors. Also [redacted] has set up meetings with investors. We also have contact with [redacted] from Mesa Development out of Shawnee. EDA and the Health Board have set up a meeting with [redacted] and he will be here of January 19,2004 to demonstrate his laser treatments. The EDA and the consultants are working to continue to find resources for the tribe. The first week of January we have several exciting meetings with the consultants and will keep you updated on any new progress.

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b6 -3
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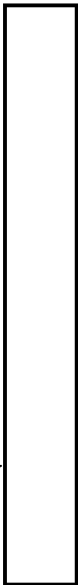
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FIRST CLASS
RETURN RECEIPT
REQUESTED

FBI

Attn: Special Agent



3301 W. Memorial Rd.
Oklahoma City, OK.

73134-8801



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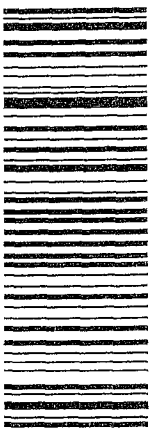


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7003 1010 0001 3924 0797

FIRST CLASS

**RETURN RECEIPT
REQUESTED**

FBI

Attn: Special Agent



3301 W. Memorial Rd.
Oklahoma City, OK.

73134-8801

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FEDERAL BUREAU OF INVESTIGATION
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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription
11/13/85

[redacted] Attorney, DREYER and TRAUB Attorneys, 101
Park Avenue, New York, New York, (212) 661-8800, accepted service
of a Federal Grand Jury subpoena for [redacted]

b3 -2
b6 -3
b7C -3

[redacted] and was provided with a copy
of this subpoena by the undersigned Special Agent of the FEDERAL
BUREAU OF INVESTIGATION requiring [redacted]
[redacted] for the Federal Grand Jury, SOUTHERN
DISTRICT OF NEW YORK on [redacted]

Interviewed on 11/6/85 at New York, New York

File # NY 183A-2826

Sub C, Sub BB

By SA [redacted] spm *EPS*

Date Dictated 11/12/85 *22*

b6 -1
b7C -1

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contents are not to be distributed outside your agency.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TO

[Redacted]

b3 -2

GREETINGS:

WE COMMAND YOU that all business and excuses being laid aside, you appear and attend before the GRAND INQUEST of the body of the people of the United States of America for the Southern District of New York, at a District Court to be held at Room 1401 in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, on the [] day of [] at [] in the [] noon, to testify and give evidence in regard to an alleged violation of []

[Redacted]

and not to depart the Court without leave thereof, or of the United States Attorney, and that you produce at the time and place aforesaid the following:

SEE ATTACHED RIDER

And for failure to attend and produce the said documents you will be deemed guilty of contempt of Court and liable to penalties of law.

Dated: New York, N.Y.
November 4, 1985

Rudolph W. Giuliani
United States Attorney for the
Southern District of New York.

[Redacted]

b6 -4
b7C -4

NOTE: REPORT AT ROOM 767. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoena and present the same at the United States Attorney's Office, Room 767, upon each day on which you attend Court as a witness.

[Redacted]

Assistant United States Attorneys
Telephone: (212) 791-

[Redacted]

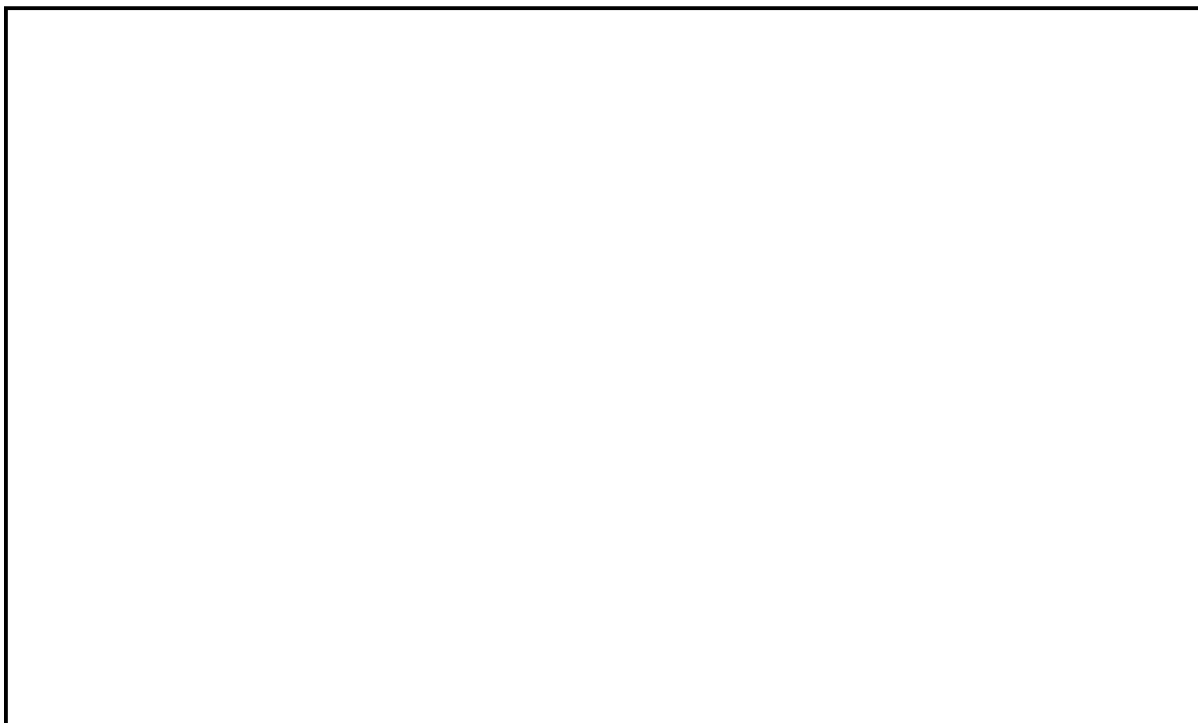
Room 934
One St. Andrew's Plaza
New York, New York 10007

On 11/6/85 [redacted] attorney,
Dreyer and Traub Attorneys, 101 Park Ave,
NY, NY (212) 661-8800 accepted service
of the subpoena for [redacted]
[redacted] and was provided
with a copy of this subpoena by SA
[redacted], FBI, New Rochelle
RA.

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b6 -4
b7C -4

R I D E R



b3 -2

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

11/18/85

1

[redacted] Attorney, DREYER AND TRAUB Attorneys, 101
Park Avenue, New York, New York, (212) 661-8800, accepted service
of a Federal Grand Jury subpoena for [redacted]

b3 -2
b6 -3
b7C -3

[redacted] and was provided with a copy of this subpoena by the
undersigned Special Agent of the FEDERAL BUREAU OF INVESTIGATION
which required [redacted] appearance before the Federal Grand Jury,
SOUTHERN DISTRICT OF NEW YORK on [redacted]

Interviewed on 11/6/85 at New York, New York

File # NY 183A-2826
Sub C, Sub B - 34

By SA [redacted] /spm

Date Dictated 11/12/85

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contents are not to be distributed outside your agency.

NOV 22 1985

Inc

United States District Court
SOUTHERN DISTRICT OF NEW YORK

TO

[Redacted]

GREETING:

b3 -2
b6 -3
b7C -3

WE COMMAND YOU that all and singular business and excuses being laid aside, you and each of you appear and attend before the GRAND INQUEST of the body of the people of the United States of America for the Southern District of New York, at a District Court, to be held at Room /46/ in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and for the said Southern District of New York, on the [Redacted] day of [Redacted] at [Redacted] o'clock in the [Redacted] noon, to testify and give evidence in regard to an alleged violation of Section [Redacted]

[Redacted]

on the part of the United States, and not to depart the Court without leave thereof, or of the United States Attorney.

And for failure to attend you will be deemed guilty of contempt of Court and liable to penalties of the law.

DATED: New York, N. Y. November 4, 1985

Rudolph W. Guiliani
United States Attorney for the
Southern District of New York

[Redacted]

Clerk.

b6 -4
b7C -4

NOTE: Report at Room 767. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoena and present the same at the United States Attorney's Office, Room 767, upon each day on which you attend Court as a witness.

[Redacted]

Assistant U. S. Attorneys

Telephone: [Redacted]
Telephone: [Redacted]
Room 934

On 11/6/85 [redacted] Attorney,
Dreyer and Traub, Attorneys, 101 Park Ave.
NY, NY (212) 661-8800 - accepted service
of this subpoena for [redacted]

b3 -2
b6 -1,-3
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[redacted] and was provided
with a copy of this subpoena by
SA [redacted] FBI,
New Rochelle RA ..

-1-

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/7/89

[redacted] white male [redacted] telephone
 number [redacted] voluntarily appeared at the Philadelphia Office of
 the FEDERAL BUREAU OF INVESTIGATION (FBI). [redacted] was provided
 with the identity of the contacting agents and the nature of the
 inquiry concerning [redacted] provided the following
 information:

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[redacted]

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 b7D -1

[redacted]

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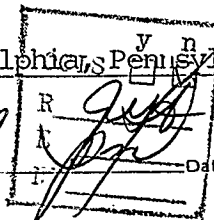
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Investigation on 6/28/89 at Philadelphia, Pennsylvania File # 183A-PH-57101 (SQ5)
 by SAs [redacted] and [redacted] Date dictated 6/28/89
 JEO:mmh



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183A-PH-57101

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PH 183A-PH-57101

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183A-PH-57101

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183A-PH-57101

Continuation of FD-302 of

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, On 6/28/89

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