

## Claude Simon

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**From:** Gorenberg, David [david.gorenberg@citi.com]  
**Sent:** Friday, July 06, 2012 6:02 AM  
**To:** 'csimon@fairlane.biz'  
**Subject:** Re: 160 Madison Avenue - 1031 Exchange Documents

Claude,

She is an internal person, who serves as a regulator, to ensure our service is handling your money properly.

David

David M. Gorenberg, Esquire  
Certified Exchange Specialist®  
Director  
Citibank - 1031 Exchange Services

1650 Market Street, Suite 3550  
Philadelphia, PA 19103

david.gorenberg@citi.com  
O: 267.385.3624  
F: 866.767.8201  
M: 856.905.0407

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**From:** Claude Simon [mailto:csimon@fairlane.biz]  
**Sent:** Thursday, July 05, 2012 08:32 PM  
**To:** Gorenberg, David [NCB-CMLB]  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

David-

Who is Karen Gladding at the Stamford, CT address in the screenshot?

Thanks, Claude

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**From:** Gorenberg, David [mailto:david.gorenberg@citi.com]  
**Sent:** Thursday, July 05, 2012 4:27 PM  
**To:** Csimon@fairlane.biz  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

Good afternoon Claude,

Below is a screen shot of your account.

For a variety of regulatory reasons, we are unable to provide you with direct online access to viewing your account. These reasons all fall under the 1031 regulations, which require that the qualified intermediary place restrictions on your

access to the funds. Since, for tax purposes, you are not the “owner” of the account, Citibank has been unable to develop a way to grant you online access to viewing the status of your account.

That said, clearly this is your money, and I will be happy to provide you with screen shots like this as often as you like. Further, we do have the account set up such that you will receive a statement each month while the account remains open. Please also notice the “more than 1 sig required” notation; this is an internal restriction on my team’s ability to move funds without your express written approval.

Thank you for your understanding in this matter. Please let me know if there is ANYTHING that I can do to assist you.

Enjoy the day,  
David

BANK-ID: NYB REG: 000 0.00000 CHECKING SUMMARY  
 BR: 00022 EXP: 22 BAL. AS OF: 07/03 POST NO DB  
 ACC: 4970661078 CE CLIENT B&P CK SOC SEC: 133-18-9657  
 C. PLAN: BUSINESS 2 SIGNER REQUIRED CITIBANK, N.A. AS QUAL  
 LAST CR: 06/27/12 .00 AS QI  
 LAST STMT: 06/30/12 8,244,440.99 160 MADISON AVENUE OWN  
 ATTN: KAREN GLADDING -  
 LEDGER BAL : 8,244,440.99 750 WASHINGTON BLVD  
 - CDC AUTH : .00 STAMFORD CT 06901-3722  
 - UNCOL NOT COV: .00  
 (FED UNAVAIL : .00) INTEREST EARNED: LAST YR  
 = TOT CHK AVAIL: 8,244,440.99 YTD .00 QTD  
 + CHK+ AVAIL : .00 IRS WITHHELD:  
 = TOT CHK/+ AVL: 8,244,440.99  
 Y Post PS TC Ser/Dly Amount Y Post PS TC Ser/Dly  
 - 062712 +INCM WIRE 8,244,440.99

SERIAL { / } DATE {  
 \$-AMOUNT { / } TRANS CODE { /  
 ENTER SYS-ID/FUNC { / } NOTE { } { 660 06/27/12  
 REQUIRED \*\* REF#201239739 PM/CBG

4B

0:00.1



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**From:** Claude Simon [mailto:csimon@fairlane.biz]  
**Sent:** Monday, July 02, 2012 8:25 PM  
**To:** Harshany, Kristina C [NCB-CMLB]  
**Cc:** Morris, Kenneth [MSSB]  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

Hi Kristina-

When can I expect to see a statement of this account?

Is this account available for online access? If so, how?

Thanks, Claude

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**From:** Harshany, Kristina C [mailto:kristina.c.harshany@citi.com]  
**Sent:** Wednesday, June 27, 2012 2:32 PM  
**To:** csimon@fairlane.biz  
**Cc:** Darryl Vernon; Lucy Levy  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

I am monitoring this account and will notify you shortly with confirmation of the wire.



Global Expertise Cash Management Innovative Solutions Business Advisor

Kristina C. Harshany  
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Senior Vice President

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**From:** Claude Simon [mailto:csimon@fairlane.biz]  
**Sent:** Wednesday, June 27, 2012 12:28 PM  
**To:** Harshany, Kristina C [NCB-CMLB]  
**Cc:** Darryl Vernon; Lucy Levy  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

Hi Kristina-

Will someone be able to monitor the account to advise us as soon as the wire hits?

Since we are closing in escrow, it is important that we release the title as soon as we receive the wire transfer.

Please advise.

Claude

Claude Simon  
160 Madison Avenue Owners' Corp.  
3rd Floor  
254 Fifth Avenue  
New York, NY 10001  
Cell: 845 796 9140  
csimon@fairlane.biz

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**From:** Harshany, Kristina C [mailto:kristina.c.harshany@citi.com]  
**Sent:** Tuesday, June 26, 2012 4:01 PM  
**To:** 'Darryl Vernon'; Gorenberg, David ; 'Csimon@fairlane.biz'  
**Cc:** 'Lucy Levy'  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

Attached please find the wire instructions for the closing.

Best,  
Kristina



Global Expertise Cash Management Innovative Solutions Business Advisor

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**From:** Darryl Vernon [mailto:[dvernon@vglp.com](mailto:dvernon@vglp.com)]  
**Sent:** Tuesday, June 26, 2012 8:12 AM  
**To:** Morris, Kenneth [MSSB]; Gorenberg, David [NCB-CMLB]; [Csimon@fairlane.biz](mailto:Csimon@fairlane.biz)  
**Cc:** White, Debbie [NCB-CMLB]; Harshany, Kristina C [NCB-CMLB]; Lucy Levy  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

The closing is scheduled for tomorrow, Wednesday, June 27. We need the wire instructions today. Copy Lucy Levy (email above) on all emails.

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**Darryl M. Vernon** | [Vernon & Ginsburg, LLP](#) | 261 Madison Ave, 26th Floor, New York, NY 10016  
212.949.7300 x201 | fax: 212.697.4432 | [dvernon@vglp.com](mailto:dvernon@vglp.com) | [www.vernonginsburg.com](http://www.vernonginsburg.com) | [Add to Contacts](#)

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**From:** Morris, Kenneth [mailto:[Kenneth.Morris@morganstanleypwm.com](mailto:Kenneth.Morris@morganstanleypwm.com)]  
**Sent:** Tuesday, June 26, 2012 8:09 AM  
**To:** Gorenberg, David ; [Csimon@fairlane.biz](mailto:Csimon@fairlane.biz); Darryl Vernon  
**Cc:** White, Debbie ; Harshany, Kristina C  
**Subject:** RE: 160 Madison Avenue - 1031 Exchange Documents

I don't think you meant Thursday, June 25<sup>th</sup>. Thursday is the 28<sup>th</sup>. Wednesday, tomorrow, is the 27<sup>th</sup>.

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**From:** Gorenberg, David [mailto:[david.gorenberg@citi.com](mailto:david.gorenberg@citi.com)]  
**Sent:** Monday, June 25, 2012 11:07 PM  
**To:** [Csimon@fairlane.biz](mailto:Csimon@fairlane.biz); [dvernon@vernonginsburg.com](mailto:dvernon@vernonginsburg.com)  
**Cc:** Morris, Kenneth (PWM); White, Debbie ; Harshany, Kristina C  
**Subject:** 160 Madison Avenue - 1031 Exchange Documents

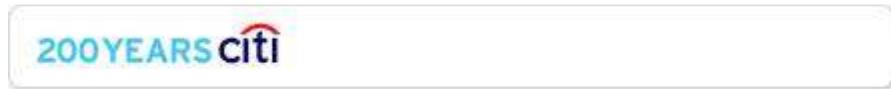
Attached, please find 1031 exchange documents for 160 Madison Avenue Owners' Corp. Please review these documents, and have them signed at closing. If there are any revisions, please notify Kristina Harshany (copied, and 267-385-3625) and me as soon as possible.

It is my understanding that this property is scheduled for closing on Thursday, June 25, 2012. Please note that I am traveling on business this week, and will NOT be available to sign the closing statement. However, Kristina will be available to do so. (I am generally available on my cell at 856-905-0407. If I do not answer, I am in a meeting; please leave a message and I will call back ASAP.)

We are in the process of opening a new bank account to receive the exchange funds in this transaction. We will provide wire instructions as soon as they are available.

Please do not hesitate to contact us with any questions that may arise.

Thank you,  
David



David M. Gorenberg, Esquire  
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Director

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