

SEP 30 2005

FEDERAL ELECTION COMMISSION  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

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**SENSITIVE**

MUR 5225

In the Matter of )  
New York Senate 2000 and Andrew Grossman, in )  
his official capacity as treasurer )  
Hillary Rodham Clinton for U.S. Senate )  
Committee, Inc. and Harold Ickes, in his )  
official capacity as treasurer )  
Senator Hillary Rodham Clinton )  
Stan Lee Media, Inc. )  
David Rosen )  
Peter F. Paul )  
Stan Lee )

GENERAL COUNSEL'S REPORT #2

I. ACTIONS RECOMMENDED

Find probable cause to believe that New York Senate 2000 ("NYS 2000," "Committee") and Andrew Grossman, in his official capacity as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 102.17(c)(8)(i)(A); approve the attached conciliation agreement;

find no reason to believe that the remaining respondents violated the Act or regulations and close the file as to them.

II. BACKGROUND<sup>1</sup>

This matter concerns the failure of NYS 2000, a joint fundraising committee, to report over \$700,000 in in-kind contributions in connection with an August 12, 2000 joint fundraising event, billed as "The Hollywood Gala Salute to President William Jefferson Clinton and Hillary Rodham

<sup>1</sup> The activities that are the subject of this matter occurred prior to November 6, 2002, the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. 81 (2002). Therefore, all references to statutes and regulations pertain to those that were in effect prior to the implementation of BCRA.

Clinton.”<sup>2</sup> See 2 U.S.C. § 434(b) and 11 C.F.R. § 102.17(c)(8)(i)(A). NYS 2000 served as the fundraising representative for the committees that participated in the event, which included Hillary Rodham Clinton for U.S. Senate Committee, Inc. (“Clinton for Senate”), the Democratic Senatorial Campaign Committee (“DSCC”) and the New York State Democratic Committee.

On July 6, 2005, this Office hand-delivered the General Counsel’s Brief (“GC Brief”), incorporated herein by reference, to counsel representing respondents. As discussed below and in the GC Brief, the factual record developed during the investigation shows that the true cost of the event exceeded \$1.2 million; however, NYS 2000 reported total event expenses of only \$519,077. The event raised \$1,072,015 in direct contributions (i.e., checks written directly to NYS 2000 in response to event solicitations, all of which were reported) and over \$1.1 million in in-kind contributions. Our investigation has shown that NYS 2000 failed to disclose \$721,895 of these in-kind contributions. A detailed breakdown of the goods and services that comprised this amount was provided to Respondents along with the GC Brief. See Attachment 1 (expense charts).

Our Brief also shows that NYS 2000 was aware these costs were never reported in connection with the August 12, 2000 event, identified in NYS 2000’s disclosure reports as “Event 39.” Most of these costs were in the form of in-kind contributions made by corporate entities controlled by Peter Paul, with promoter Aaron Tonken assisting with procuring and paying for some of the vendors using an account funded by the same entities. In addition, although the

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As further explained in the GC Brief, on May 27, 2005, National Finance Director David Rosen was acquitted of two counts of causing false campaign finance reports to be filed with the FEC in connection with the August 12, 2000 event. See *United States v. David Rosen*, No. CR03-1219-AHM (C.D. Cal.). In addition, although we had concluded the investigation prior to the trial, we did not have access to certain key witnesses such as Rosen, who had asserted his Fifth Amendment privilege in response to a Commission subpoena in 2004. In June 2005, we obtained and reviewed a transcript of the entire trial – in which Rosen took the stand – and included relevant portions in our July 6, 2005 General Counsel’s Brief.

1 needed to prepare its reports was readily accessible, NYS 2000 did not engage in any rigorous fact-  
2 gathering, let alone any inquiry of those who purportedly possessed the relevant information.  
3 There is no evidence that NYS 2000 was denied access to any of this information.

4 On September 9, 2005, after granting Respondents' request for a fifty-day extension to file  
5 a response (with commensurate statute of limitations tolling), Respondents submitted their Reply  
6 Brief to the Commission. Respondents summarize their arguments as follows: (1) the GC Brief  
7 disregards evidence showing that Respondents "did their best" to file accurate reports; (2) the GC  
8 Brief "relies on the assertions of convicted and accused felons;" and (3) the pursuit of this matter  
9 "serves no reasonable end." Reply Brief at 9, 17, 20.

10 As discussed below, NYS 2000's Reply Brief fails to rebut the evidence set forth in the  
11 GC Brief showing that Respondents were aware of substantial unreported costs and made no effort  
12 to gather readily available cost information. In fact, most of the arguments adduced in the Reply  
13 Brief are wholly irrelevant to the legal issues at the core of this matter. Accordingly, we  
14 recommend that the Commission find probable cause to believe that NYS 2000 and  
15 Andrew Grossman, in his official capacity as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R.  
16 § 102.17(c)(8)(i)(A).<sup>3</sup>

### 17 **III. DISCUSSION**

#### 18 **A. NYS 2000 Knew of Substantial Unreported Event Costs**

19 NYS 2000 does not dispute that it filed grossly inaccurate disclosure reports. Although  
20 NYS 2000 asserts that Rosen "vehemently denied the Government's allegations" during his trial,

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<sup>3</sup> Pursuant to 11 C.F.R. § 102.17(c)(8)(i)(A), joint fundraising representatives such as NYS 2000 shall report "the total amount of contributions received from prohibited sources during the reporting period, if any, as a memo entry."

1 *see* Reply Brief at 8, it does not appear to challenge specifically any of the numerous facts in the  
2 GC Brief showing that he knew about substantial unreported costs.

3 First, NYS 2000 does not dispute that Rosen acted as the Committee's agent in planning,  
4 coordinating, and overseeing many aspects of the event. Moreover, the Committee's treasurer and  
5 others understood Rosen's responsibilities to expressly include collecting contribution and expense  
6 information for the disclosure reports, especially Event 39. NYS 2000 also does not dispute that  
7 Rosen was based primarily in Los Angeles from mid-July 2000 through the August 12 event,  
8 overseeing the planning of the event out of Stan Lee Media's offices. In fact, in the two weeks  
9 prior to the event, Rosen maintained an office just down the hallway from Peter Paul while Paul  
10 was writing checks to cover most of the unreported expenses;<sup>4</sup> some witnesses even recalled Paul  
11 writing checks in Rosen's presence while complaining about increasing costs.

12 Second, the Reply Brief does not directly dispute witness accounts that Rosen was present  
13 when large concert costs were discussed. These witness accounts suggest that NYS 2000, through  
14 Rosen, was aware that the concert portion cost at least \$500,000 and perhaps much more –  
15 substantially higher than the \$300,000 reported by NYS 2000. NYS 2000 notes that two of the  
16 five witnesses who provided such accounts – Ray Reggie and Jim Levin – recently pleaded guilty  
17 to unrelated fraud charges, as acknowledged in the GC Brief. NYS 2000 apparently suggests,  
18 without directly stating so, that Reggie's and Levin's sworn testimony should not be credited in  
19 light of their plea agreements. However, nowhere in the Reply Brief does NYS 2000 call into  
20 question the veracity and accuracy of the accounts of three other witnesses who had similar  
21 recollections of Rosen's knowledge of unreported concert costs.

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<sup>4</sup> Rosen admitted using office space and equipment at Stan Lee Media without reporting the value of such use, attributing it to "poor judgment" on his part. *See* David Rosen testimony, Rosen Trial Transcript at 50-54 (May 25, 2005).

1 Third, the Reply Brief does not directly contest the considerable evidence of Rosen's close  
2 involvement with other goods and services provided at the event, as set forth in the GC Brief.  
3 NYS 2000 omits any discussion of Rosen's involvement in coordinating the vendors, such as his  
4 close dealings with the printing vendor. For example, even though Rosen admitted that he signed  
5 his name on each page of the invitation drafts (including his notation "Ok to Print"), NYS 2000  
6 failed to report the entire \$45,645 cost of printing those invitations. As another example, even  
7 though Rosen admitted that boxes of music CDs were stored in his office at Stan Lee Media and  
8 that gift bags with multiple CDs were distributed to guests at the event, NYS 2000 failed to  
9 disclose the costs of *any* of the 7,000 CDs given away.

10 Finally, NYS 2000 offers no direct rebuttal of evidence in the GC Brief indicating that Paul  
11 and Rosen had discussions about escalating costs. Although Rosen denied at trial that Paul had  
12 ever complained to him about costs, several witnesses support Paul's claim that the pair had  
13 numerous, often contentious discussions about spiraling costs in the days leading up to the event,  
14 suggesting that NYS 2000 was provided with knowledge about the true scope of event expenses.

15 **B. NYS 2000 Made Little or No Effort to Collect Readily Available Cost Information**

16 NYS 2000's primary mitigation argument appears to be that the GC Brief "disregards the  
17 mass of evidence showing that Respondents did their best to file accurate reports." Reply Brief at  
18 9. This argument not only ignores the basis of NYS 2000's liability for underreporting – that  
19 NYS 2000 had knowledge of substantial unreported costs and failed to report them – but it is not  
20 supported by any facts, let alone a "mass of evidence."

21 NYS 2000 asserts that it established and implemented "rigorous procedures" to track its  
22 financial activity. *Id.* at 10. The weakness of the examples NYS 2000 provides, however,  
23 illustrates just how little was done to ensure the Committee that it obtained adequate information

1 for its disclosure reports. The first example it provides is an employment agreement with Rosen,  
2 which required him to "comply with the FECA and other applicable laws in the conduct of his  
3 official duties." *Id.* It is unclear how such an agreement supports NYS 2000's contention, as it  
4 only states the indisputable fact that NYS 2000 and its agents were subject to the Act's  
5 requirements and does nothing to show how those requirements were met with regard to Event 39.

6 Second, the Reply Brief suggests that "[p]erhaps the best testimony to the reasonableness  
7 of the Committee's procedures can be found in the audit the Commission conducted in this matter .  
8 ..." *Id.* NYS 2000 emphasizes that the audit generated no findings regarding NYS 2000's  
9 recordkeeping or the accuracy of its reporting with regard to Event 39. The main purpose of the  
10 limited audit authorized by the Commission was to clarify uncertainties regarding the total amount  
11 of contributions and how those contributions were allocated and distributed, in order to determine  
12 whether any of the participating committees made or accepted excessive contributions.<sup>5</sup> We  
13 concluded that they did not. The audit did not focus on the unreported costs that are the subject of  
14 this report. With regard to those unreported costs, it seems obvious that the auditors could only  
15 review records maintained by NYS 2000 to support its disclosure reports. Since NYS 2000 failed  
16 to disclose \$721,895 in event costs and claimed to have no knowledge or record of them, not  
17 surprisingly, the Audit Division's analysis of records obtained from NYS 2000 did not address  
18 those missing costs.<sup>6</sup> In any event, the fact that NYS 2000 produced cost information for less than

<sup>5</sup> Although Commission's regulations require a "unique identifying title or code" to be assigned to fundraising expenses in a committee's reports, *see* 11 C.F.R. § 104.10(a)(1), this rule does not extend to contributions or to the distribution of fundraising proceeds. Accordingly, the reports filed by NYS 2000 and the participating committees did not identify the contributions raised directly from Event 39 or any other particular fundraising event sponsored by NYS 2000. In addition to conducting the limited audit of NYS 2000 pursuant to 2 U.S.C. § 437g(a)(2), the Commission's Audit Division provided valuable input to this Office throughout the course of the investigation.

<sup>6</sup> The only exception was a minor \$550 expense for the use of an image in the tribute journals distributed at the event. During the audit, NYS 2000 produced an invoice from the vendor but its reports did not reflect any such expense. *See* Attachment 1 at 8 (\$550 invoice from Stock Illustration Source).

1 half of the expenses incurred in connection with Event 39 does not inspire confidence about the  
2 “reasonableness” of its procedures.

3 Third, NYS 2000 asserts that it made “extensive efforts” to collect the cost information for  
4 the event, *see* Reply Brief at 9, but does not provide any relevant examples. NYS 2000 claims  
5 “there was little detailed information that either David Rosen or [NYS 2000] could have obtained  
6 about the disbursements . . . to which Paul and Tonken did not control access . . . .” *Id.* at 17.  
7 There is no evidence, however, that NYS 2000 actually attempted to obtain it or that they made  
8 any requests or inquiries that were unheeded or rebuffed. As noted in the GC Brief, cost  
9 information from the vendors and payors was readily available to NYS 2000; the investigation  
10 uncovered no evidence that any vendors or individuals involved in planning, producing and paying  
11 for the event prevented Rosen, compliance consultant Burns, treasurer Grossman or anyone else  
12 with NYS 2000 from obtaining complete and accurate information.

13 NYS 2000 specifically challenges the assertion in the GC Brief that it had access to all  
14 invoices and other information from which it could collect and report the printing costs: “That  
15 information was kept by [reception and dinner planner] Bretta Nock after she and Tonken engaged  
16 the printer, Pat Waters . . . . Waters testified at trial that she had no knowledge of Rosen receiving  
17 any invoices . . . .” Reply Brief at 18. NYS 2000 fails to state, however, whether it made any  
18 effort to obtain the printing invoices or cost information. NYS 2000 does not claim that Nock or  
19 Waters prevented them from obtaining this information, and our investigation revealed no such  
20 evidence.

21 NYS 2000 repeatedly asserts that Rosen relied on Nock to maintain budget spreadsheets  
22 and to provide him with invoices and cost information for Event 39, citing her supporting trial  
23 testimony. *See, e.g., id.* at 7. Although there appears to be conflicting testimony about the extent

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1 to which Rosen relied on Nock, such evidence is immaterial in light of facts demonstrating he was  
2 aware of substantial costs *not* included in the final budget (e.g., \$400,000 in missing concert  
3 expenses). Moreover, although Nock may have prepared preliminary budget documents for  
4 Rosen, she did not vouch for their accuracy, even testifying that she e-mailed a budget spreadsheet  
5 to Rosen with the note "Fill in as you deem appropriate" – meaning that Rosen was to "adjust the  
6 budget to his specifications" because "it wasn't my jurisdiction to adjust his budget."<sup>7</sup>

7 By focusing on Nock, NYS 2000 seems to imply that its reliance on the final budget  
8 spreadsheet revealed to be inaccurate during the trial (as admitted by Rosen) was reasonable and  
9 justified. However, if Rosen and NYS 2000 had undertaken even a cursory review of the items  
10 listed in the budget, they would have likely identified several glaring omissions, e.g., the lack of  
11 *any* travel and lodging expenses associated with the performers, the lack of expenses for gift items  
12 that Rosen knew were handed out to guests and that he admitted were stored in his office, and the  
13 omission of over \$100,000 in printing costs for items that Rosen personally approved, such as the  
14 invitations. The weight of the evidence demonstrates that NYS 2000 conducted little or no effort  
15 to verify the accuracy of its reported figures.<sup>8</sup>

16 Finally, NYS 2000 asserts that "the issue of its motive is highly relevant," claiming that  
17 NYS 2000 had "no incentive whatsoever to report incorrectly the source or amount of in-kinds"

<sup>7</sup> See Bretta Nock testimony, Rosen Trial Transcript at 130 (May 18, 2005). Rosen testified that he "didn't really understand what she meant" by her e-mail comment so he "just ignored it." See David Rosen testimony, Rosen Trial Transcript at 163 (May 24, 2005).

<sup>8</sup> The GC Brief also noted that two months before the deadline of the FEC report at issue, Clinton campaign spokesman Howard Wolfson appeared to publicly acknowledge that NYS 2000 received a \$1 million in-kind contribution in connection with the event, a figure close to the actual in-kind total of \$1.1 million and far higher than the approximately \$400,000 in reported in-kinds. Lloyd Grove ("The Reliable Source"), *Jerry Springer Drops in on 'A Silly Show'*, WASHINGTON POST (Aug. 17, 2000). The article stated, "As for the rest of the estimated \$1 million-plus cost, [Wolfson stated that] 'it was an in-kind contribution . . . and not a check.'" NYS 2000 asserts that Wolfson was not aware of the amount "just four days after the event," but it does not state whether it made any attempts to verify the accuracy of the figure in response to the press account. See Reply Brief at fn. 3.



1 from the event. Reply Brief at 13. Liability, however, does not turn on whether a motive is  
2 established.<sup>9</sup> The fact remains that NYS 2000 did not disclose substantial costs for Event 39.  
3 Therefore, we recommend the Commission find probable cause to believe that New York Senate  
4 2000 and Andrew Grossman, in his official capacity as treasurer, violated 2 U.S.C. § 434(b) and  
5 11 C.F.R. § 102.17(c)(8)(i)(A).

6 **IV. CONCILIATION**  
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**V. DISCUSSION OF OTHER RESPONDENTS**

The Commission previously voted to take no action with regard to Clinton for Senate, pending the results of the investigation. Based on the results of the limited audit, we determined that Clinton for Senate paid more than its minimum allocated share of expenses for the joint fundraising event, which it was permitted to do. *See* 11 C.F.R. § 106.6(a). Accordingly, Clinton for Senate did not accept any "advancements" of prohibited or excessive funds from the other participants, or from any other sources in connection with the August 12, 2000 event. *See* 2 U.S.C. §§ 441a(f) and 441b(a); 11 C.F.R. § 102.17(b)(3)(ii). In addition, Clinton for Senate appears to have properly reported its share of gross contributions as contributions from the original contributors, pursuant to 11 C.F.R. § 102.17(c)(8)(i)(B). Therefore, we recommend that the Commission find no reason to believe that Hillary Rodham Clinton for U.S. Senate Committee, Inc. and Harold Ickes, in his official capacity as treasurer, violated any provision of the Act or regulations in connection with this matter, and close the file as to them.

The Commission previously voted to take no action with regard to Senator Clinton pending the investigation of this matter because the complaint and responses provided no basis either to dismiss the complaint outright or to open an investigation. Any potential liability of Senator Clinton would be based on whether she knowingly accepted prohibited or excessive in-kind corporate contributions. Because the investigation has shown that Clinton for Senate did not accept any "advancements" of prohibited or excessive funds from the other participants, it would appear that Senator Clinton similarly did not accept any illegal contributions. Therefore, we recommend that the Commission find no reason to believe that Hillary Rodham Clinton violated any provision of the Act or regulations in connection with this matter, and close the file as to her.

1           The Commission previously took no action with regard to Peter Paul pending the  
2 completion of the investigation. Although Paul suggested in his complaint that he may have made  
3 "illegal contributions" in connection with the event, the audit and investigation have indicated  
4 otherwise. Based on the allocation method used by NYS 2000, which we have determined was  
5 appropriate, Paul's in-kind contributions were all legally accepted by the DSCC's non-federal  
6 account. Accordingly, we recommend that the Commission find no reason to believe that  
7 Peter F. Paul violated any provision of the Act or regulations in connection with this matter, and  
8 close the file as to him.

9           In light of uncertainties as to the role of Stan Lee and Stan Lee Media, Inc. in connection  
10 with the August 12, 2000 event, the Commission took no action pending the outcome of the  
11 investigation. Because we have determined that no prohibited corporate contributions were  
12 accepted by NYS 2000, it does not appear that Stan Lee Media, Inc. or its then-chairman Stan Lee  
13 incurred any liability concerning the event. Accordingly, we recommend that the Commission find  
14 no reason to believe that Stan Lee or Stan Lee Media, Inc. violated any provision of the Act or  
15 regulations in connection with this matter, and close the file as to each of them.


16           Despite playing a key role in the filing of inaccurate disclosure reports, David Rosen does  
17 not appear to share any liability for the violations of NYS 2000 because, under the Act and  
18 regulations, personal liability for reporting violations only flows to the treasurer. *See* 2 U.S.C.  
19 § 434; 11 C.F.R. §§ 104.14(d), 104.1 and 104.3. Further, since Paul's contributions were legally  
20 accepted by NYS 2000 and its participating committees, Rosen cannot be held liable for accepting  
21 corporate or excessive in-kind contributions. Accordingly, we recommend that the Commission  
22 find no reason to believe that David Rosen violated any provision of the Act or regulations in  
23 connection with this matter, and close the file as to him.

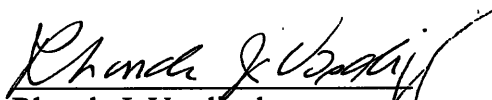
1 **VI. RECOMMENDATIONS**

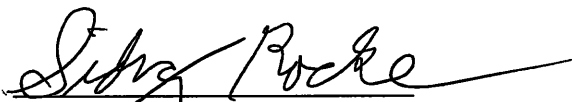
- 2 1. Find probable cause to believe that New York Senate 2000 and Andrew Grossman,  
3 in his official capacity as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R.  
4 § 102.17(c)(8)(i)(A).  
5  
6 2. Approve the attached conciliation agreement.  
7  
8 3.  
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12 4. Find no reason to believe that Hillary Rodham Clinton for U.S. Senate Committee,  
13 Inc. and Harold Ickes, in his official capacity as treasurer, violated any provision of  
14 the Act or regulations in connection with this matter and close the file as to them.  
15  
16 5. Find no reason to believe that Hillary Rodham Clinton violated any provision of the  
17 Act or regulations in connection with this matter and close the file as to her.  
18  
19 6. Find no reason to believe that Peter F. Paul violated any provision of the Act or  
20 regulations in connection with this matter and close the file as to him.  
21  
22 7. Find no reason to believe that Stan Lee violated any provision of the Act or  
23 regulations in connection with this matter and close the file as to him.  
24  
25 8. Find no reason to believe that Stan Lee Media, Inc. violated any provision of the  
26 Act or regulations in connection with this matter and close the file as to it.  
27  
28 9. Find no reason to believe that David Rosen violated any provision of the Act or  
29 regulations in connection with this matter and close the file as to him.  
30  
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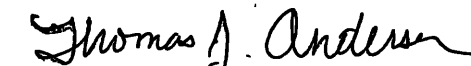
10. Approve the appropriate letters.

7/22/05  
Date

  
Lawrence H. Norton  
General Counsel

  
Rhonda J. Vosdigh  
Associate General Counsel  
for Enforcement

  
Sidney Locke  
Assistant General Counsel

  
Thomas J. Andersen  
Attorney

Attachments:

1. Expense chart spreadsheets
2. Conciliation Agreement

BLACK INK PRODUCTIONS DISBURSEMENTS (funds disbursed from Union Bank of California, Account  
Account name "Bill Clinton Farewell Tribute"):

| VENDOR                          | DATE     | AMOUNT      | PURPOSE      |
|---------------------------------|----------|-------------|--------------|
| AAA Communications LLC          | 8/17/00  | \$1,899.79  | Phone system |
| ABC, Inc                        | 8/7/00   | \$1,187.00  | Music Stands |
| Albert A Rettig & Assoc.        | 8/16/00  | \$4,000.00  | Accounting   |
| Albert A Rettig & Assoc.        | 8/18/00  | \$2,000.00  | Accounting   |
| Allegria Ristorante             | 9/18/00  | \$227.33    | Food         |
| American Express                | 8/17/00  | \$3,268.73  | Charges      |
| American Express                | 8/30/00  | \$78.64     | Charges      |
| Amore Studio Cartage & Storage  | 8/30/00  | \$3,600.00  | Cartage      |
| Amy Guinee Designs              | 8/11/00  | \$405.00    | Design       |
| Amy Guinee Designs              | 8/14/00  | \$180.00    | Design       |
| Andy Gump                       | 8/7/00   | \$1,300.00  | Restrooms    |
| Andy Gump                       | 8/18/00  | \$1,135.00  | Restrooms    |
| AT&T Recording/ Duplicating     | 8/1/00   | \$113.66    | Video        |
| AT&T Recording/ Duplicating     | 8/30/00  | \$75.78     | Video        |
| AT&T Recording/ Duplicating     | 9/13/00  | \$202.97    | Video        |
| Backstage Payroll Service, Inc. | 8/30/00  | \$34,804.86 | Labor        |
| Baumrucker, Allan               | 8/7/00   | \$3,000.00  | Producer     |
| Black Ink Productions           | 8/14/00  | \$800.00    | Production   |
| Black Ink Productions           | 8/25/00  | \$120.00    | Production   |
| Black Ink Productions           | 9/11/00  | \$2,504.70  | Production   |
| Black Ink Productions           | 12/12/00 | \$142.89    | Production   |
| Brad Lachman Productions        | 8/7/00   | \$4,259.23  | Production   |
| Brown United                    | 8/3/00   | \$9,362.50  | Stage        |
| Brown United                    | 8/30/00  | \$13,662.50 | Stage        |
| Burns Audio                     | 8/3/00   | \$6,991.50  | Sound        |
| Burns Audio                     | 8/9/00   | \$18,000.00 | Sound        |
| Burns Audio                     | 8/18/00  | \$21,624.50 | Sound        |
| Burns Audio                     | 11/22/00 | \$1,500.00  | Sound        |
| Calandra, Christine             | 8/1/00   | \$1,000.00  | Expenses     |
| Calandra, Christine             | 9/13/00  | \$200.00    | Expenses     |
| Camera Support                  | 8/11/00  | \$1,450.00  | Cameras      |

|                                       |          |             |            |
|---------------------------------------|----------|-------------|------------|
| Camera Support                        | 8/18/00  | \$1,450.00  | Cameras    |
| Centerstaging Musical Prod.           | 8/9/00   | \$1,630.00  | Music      |
| Centerstaging Musical Prod.           | 8/18/00  | \$630.00    | Music      |
| Chuck's Parking Service               | 8/21/00  | \$1,706.20  | Valets     |
| Chuck's Parking Service               | 9/11/00  | \$1,053.00  | Valets     |
| Cinema Delivery                       | 10/18/00 | \$193.00    | Video      |
| Cinema Delivery, Inc                  | 8/7/00   | \$44.00     | Video      |
| Cinema Delivery, Inc                  | 8/18/00  | \$1,559.50  | Video      |
| Cinema Delivery, Inc                  | 9/11/00  | \$231.00    | Video      |
| Cinema Delivery, Inc                  | 9/22/00  | \$118.50    | Video      |
| Cinema Delivery, Inc                  | 9/28/00  | \$17.00     | Video      |
| Cinema Delivery, Inc                  | 10/31/00 | \$29.00     | Video      |
| Command Performance Catering          | 8/7/00   | \$4,500.00  | Catering   |
| Command Performance Catering          | 8/21/00  | \$10,510.35 | Catering   |
| Complete Post, Inc.                   | 9/13/00  | \$15,000.00 | Video      |
| Complete Post, Inc.                   | 9/28/00  | \$328.00    | Video      |
| Computer Promoting Services, Inc.     | 10/18/00 | \$1,096.00  | Computers  |
| Consolidated Disposal Ser. Inc.       | 8/11/00  | \$120.00    | Trash      |
| Dept of Building & Safety             | 11/27/00 | \$324.00    | Permits    |
| Dewitt Stern of CA Insurance Services | 8/3/00   | \$4,485.00  | Insurance  |
| Dominoes                              | 8/12/00  | \$395.00    | Pizza      |
| Dozar Company, The                    | 8/10/00  | \$541.25    | Furniture  |
| Electric Car Sales & Service          | 8/18/00  | \$487.13    | Carts      |
| Empty Vase, Inc., The                 | 8/11/00  | \$1,320.65  | Flowers    |
| Entertainment Lighting Ser.           | 8/4/00   | \$10,945.25 | Lighting   |
| Entertainment Lighting Ser.           | 8/9/00   | \$1,100.00  | Lighting   |
| First Church of God                   | 8/17/00  | \$1,000.00  | Choir      |
| Five Star Video                       | 8/4/00   | \$53.82     | Video      |
| Five Star Video                       | 8/10/00  | \$202.69    | Video      |
| Five Star Video                       | 8/30/00  | \$32.48     | Video      |
| Five Star Video                       | 11/22/00 | \$337.20    | Video      |
| Five Star Video                       | 8/11/00  | \$113.61    | Video      |
| Fred Bresky (Tenth Planet)            | 9/28/00  | \$76.88     | Expenses   |
| Full Flood, Inc.                      | 8/10/00  | \$51,735.12 | Lighting   |
| GE Energy Rentals                     | 9/11/00  | \$2,625.00  | Generators |



|                                  |          |             |                    |
|----------------------------------|----------|-------------|--------------------|
| GE Energy Rentals                | 9/13/00  | \$8,010.00  | Generators         |
| Gelsons-Mayfair                  | 8/12/00  | \$1,479.73  | Food               |
| Henry Printing & Copying         | 9/11/00  | \$102.84    | Copying            |
| Hi-Tech Computer Rental          | 8/30/00  | \$290.46    | Computers          |
| Hi-Tech Computer Rental          | 9/6/00   | \$72.98     | Computers          |
| Intercare Maintenance            | 8/25/00  | \$1,550.00  | Maintenance        |
| Jackson Shrub Supply, Inc        | 8/18/00  | \$5,895.30  | Plants             |
| Jackson Shrub Supply, Inc        | 8/21/00  | \$3,650.19  | Plants             |
| Jacobson Group, Inc., The        | 8/10/00  | \$10,680.25 | Production payroll |
| Jacobson Group, Inc., The        | 8/11/00  | \$4,645.64  | Production payroll |
| Jacobson Group, Inc., The        | 8/18/00  | \$17,137.15 | Production payroll |
| Jacobson Group, Inc., The        | 8/21/00  | \$14,862.54 | Production payroll |
| Jacobson Group, Inc., The        | 8/24/00  | \$11,289.10 | Production payroll |
| Jacobson Group, Inc., The        | 9/28/00  | \$3,521.70  | Production payroll |
| Kenoff & Machtinger              | 8/9/00   | \$4,000.00  | Legal              |
| Labor Ready                      | 8/10/00  | \$781.20    | Labor              |
| Labor Ready Southwest, Inc.      | 8/25/00  | \$585.90    | Labor              |
| Lagler, Rene                     | 9/13/00  | \$93.50     | Stage Design       |
| Large Screen Video               | 8/3/00   | \$6,013.75  | Large screen       |
| Large Screen Video               | 8/18/00  | \$11,211.25 | Large screen       |
| Marshall/Stewart Prod Inc        | 8/4/00   | \$1,800.00  | Sound mixing       |
| Marshall/Stewart Prod. Inc       | 8/10/00  | \$1,800.00  | Sound mixing       |
| Marshall/Stewart Prod. Inc       | 8/30/00  | \$1,800.00  | Sound mixing       |
| Marshall/Stewart Prod. Inc       | 8/1/00   | \$3,893.75  | Sound mixing       |
| Martinez, Debra S.               | 9/11/00  | \$489.80    | Expenses           |
| Martinez, Debra S.               | 9/28/00  | \$378.62    | Expenses           |
| Midway Rent A Car                | 9/28/00  | \$101.62    | Car rental         |
| Myers, Houghton & Partners, Inc. | 9/13/00  | \$500.00    | Structural design  |
| Network Art Services             | 10/18/00 | \$323.67    | Stage design       |
| Network Art Services             | 9/22/00  | \$113.66    | Stage design       |
| Network Art Services             | 8/11/00  | \$7,577.50  | Stage design       |
| Network Art Services             | 8/21/00  | \$1,165.85  | Stage design       |
| Network Art Services             | 9/11/00  | \$886.57    | Stage design       |
| Network Art Services             | 12/12/00 | \$90.93     | Stage design       |
| NTS Office Machines              | 8/9/00   | \$237.38    | Chairbacks         |

| NTS Office Machines            | 8/18/00  | \$22.28     | Chairbacks          |
|--------------------------------|----------|-------------|---------------------|
| Osbrink Talent Agency          | 10/18/00 | \$110.00    | Talent              |
| Osbrink Talent Agency          | 10/18/00 | \$110.00    | Talent              |
| Pacific Productions            | 8/3/00   | \$4,000.00  | Production          |
| Pacific Productions            | 8/11/00  | \$2,390.00  | Production          |
| Pacific Productions            | 8/17/00  | \$2,022.95  | Production          |
| Pacific Productions            | 9/18/00  | \$865.57    | Production          |
| Parasec                        | 8/1/00   | \$62.00     | Certified documents |
| Pier 1 Imports                 | 8/14/00  | \$28,253.25 | Chairs              |
| Pier 1 Imports                 | 9/13/00  | \$832.01    | Chairs              |
| Pinkerton Special Events       | 8/10/00  | \$2,100.00  | Security            |
| Pinkerton Special Events       | 8/18/00  | \$2,310.00  | Security            |
| Quantum Payroll Services, Inc. | 8/10/00  | \$10,530.21 | Payroll             |
| Quantum Payroll Services, Inc. | 8/17/00  | \$63,697.44 | Payroll             |
| Quantum Payroll Services, Inc. | 9/8/00   | \$342.40    | Payroll             |
| Ramer, Thomas J.               | 8/30/00  | \$800.00    | Synthesizer         |
| Rays Rentals                   | 9/6/00   | \$1,001.31  | Velours             |
| Red Carpet Charter Bus Lines   | 8/8/00   | \$750.00    | Choir bus           |
| Regal Rents                    | 8/7/00   | \$8,170.30  | Tables, etc.        |
| Regal Rents                    | 10/18/00 | \$805.03    | Tables, etc.        |
| Roberts, Ken                   | 8/25/00  | \$1,900.68  | Property damage     |
| Scenic Express, Inc            | 8/3/00   | \$21,000.00 | Décor               |
| Scenic Express, Inc.           | 8/7/00   | \$13,457.50 | Décor               |
| Scenic Express, Inc.           | 8/17/00  | \$20,847.16 | Décor               |
| Scenic Express, Inc            | 9/6/00   | \$144.00    | Décor               |
| Smith Hemion Productions       | 8/4/00   | \$450.20    | Producers           |
| Smith Hemion Productions       | 8/30/00  | \$36.00     | Producers           |
| Smith Hemion Productions       | 9/6/00   | \$28.12     | Producers           |
| Smith Hemion Productions       | 9/11/00  | \$227.33    | Producers           |
| Smith Hemion Productions       | 10/16/00 | \$129.03    | Producers           |
| Smith Hemion Productions       | 12/26/00 | \$406.18    | Producers           |
| Smith Hemion Productions       | 12/12/00 | \$18,795.82 | Producers           |
| Smith Hemion Productions       | 9/28/00  | \$560.90    | Producers           |
| Sunset Expendables             | 8/25/00  | \$314.62    | Mirrors             |
| Sweetwater Digital Productions | 8/3/00   | \$6,013.75  | Video               |

**Black Ink Total: \$619,140.20**

### OTHER DISBURSEMENTS FOR CONCERT PRODUCTION:

| VENDOR       | PAYOR                 | DATE    | AMOUNT      | PURPOSE                      | EVIDENCE                                   |
|--------------|-----------------------|---------|-------------|------------------------------|--|
| Smith-Hernon | Paraversal            | 8/10/00 | \$10,000.00 | Gary Smith's<br>Producer Fee | Check (Paul docs)                          |
| Smith-Hernon | Paraversal            | 8/18/00 | \$65,000.00 | Gary Smith's<br>Producer Fee | Check (Paul docs)                          |
| Burns Audio  | Celebrity Enterprises | 8/10/00 | \$1,250.00  | Sound                        | Check, Bank clearing statement (Paul docs) |
| TOTAL        |                       |         | 76,250.00   |                              |  |

**Total Concert Expenses: \$695,390.20**

**Total Concert Expenses: \$953,550.20**

**Unreported Black Ink expenses: \$319,140.20 (52% unreported)**

**Total unreported concert expenses: \$395,153.95 (57% unreported)**

Payments to Black Ink (to Union Bank of California, Account

| PAYOR        | DATE OF CHECK | DEPOSIT DATE | AMOUNT       | PURPOSE  | EVIDENCE                          |
|--------------|---------------|--------------|--------------|--|-----------------------------------|
| Aaron Tonken | 7/27/00       | 7/28/00      | \$30,000.00  | Directors' chairs from Pier One Imports                                | Check, bank statement (Paul docs) |
| NYS 2000     | 7/28/00       | 8/1/00       | \$100,000.00 | "downpayment" --   | Check (NYS 2000 docs)             |
| Paraversal   | 8/4/00        | 8/7/00       | \$300,000.00 | Check says "For Stan Lee's hosting"                                    | Bank statement (Paul docs)        |
| Paraversal   | 8/8/00        | 8/10/00      | \$175,000.00 | Check says "Tribute productions paid in full"                          | Bank statement (Paul docs)        |
|              |               | 8/28/00      | \$925.00     | Courier deposit  | Bank statement (Paul docs)        |
|              |               | 9/18/00      | \$263.13     | Office deposit   | Bank statement (Paul docs)        |
|              |               | 11/22/00     | \$6,100.00   | Courier deposit, From Paul to Baumrucker, then Baumrucker to Black Ink | Bank statement (Paul docs)        |
|              |               | 1/26/01      | \$180.00     | Transfer   | Bank statement (Paul docs)        |
| TOTAL        |               |              | \$612,468.13 |  |                                   |

## PRINTING &amp; MAILING COSTS:

| Vendor              | Payor                 | Date    | Amount      | Description                                      | Evidence  | Notes   |
|---------------------|-----------------------|---------|-------------|--|---|---|
| Altair Promenades   | Continental Entities  | 8/1/00  | \$45,645.00 | Printing of Invitations                          | Check, Altair Invoices and Promissory Note (Waters docs)                  | Estimate in Prelim. Budget says \$20k to House of Graphics, but removed on Final Budget |
| Altair Promenades   | Aaron Tonken          | 8/11/00 | \$31,284.25 | Printing of Tribute Journal                      | Altair Invoice (Waters docs),<br>Check, Invoice (Waters docs)             | Estimate in Prelim. Budget says \$20k to House of Graphics, but removed on Final Budget |
| Amy Guinnee Designs | Paraversal Inc.       | 8/10/00 | \$5,888.25  | Design of Tribute Journal                        | (Guinnee docs); (Waters depo at 224); Bank clearing statement (Paul docs) |   |
| Amy Guinnee Designs | Paraversal Inc.       | 8/11/00 | \$384.00    | Design of Various                                | Check, Invoices (Waters docs);<br>Bank clearing statement (Paul docs)     |   |
| KBS Messenger       | Bretta Nock           | 8/15/00 | \$3,954.50  | Deliveries                                       | Invoice, spreadsheet<br>(NYS2K0016579) (Nock docs);<br>Waters depo        |   |
| Mini-Mailers        | Aaron Tonken          | 7/25/00 | \$5,790.00  | Address printing for 15k Invitations             | Mini-Mailers invoice, Fax<br>(Waters docs)                                |   |
| Parkun Design       | Aaron Tonken          | 8/1/00  | \$3,247.50  | Tribute journal design                           | Check, Invoice (Nock docs)  | Provide initial design, reported by NYS 2000  |
| Pat Waters          | Celebrity Enterprises | 8/23/00 | \$10,000.00 | Consulting and Management                        | Check, Invoice (Waters docs),<br>Invoice (Waters docs)                    |   |
| Pat Waters          | In-kind               | 8/12/00 | \$13,057.94 | Expenses (e.g., Mini-Mailers, work on gift bags) |   | Waters reimbursed by Paul (Waters depo at 262-63); NYS 2000 reported figure of \$5,500  |
| Postal Service      | Waters                | 7/24/00 | \$8,250.00  | Postage for 15k Invitations                      | Postage Receipt (Waters docs)   |   |
| Wendy Hoag Design   | Bretta Nock           | 8/30/00 | \$3,640.00  | Design of 30k Invitations                        | Hoag Invoice (Hoag docs)  |   |

|                           |            |         |              |                                 |                            |   |
|---------------------------|------------|---------|--------------|---------------------------------|----------------------------|---|
| Grant Milford             | Peter Paul | 8/16/00 | \$4,550.00   | Tribute Journal binding         | Invoice (Waters docs)      |   |
| Grant Milford             | Peter Paul | 4/27/01 | \$2,000.00   | Tribute Journal binding         | Invoice (Waters docs)      |   |
| Stock Illustration Source | Not clear  | 9/14/01 | \$550.00     | Use of image in Tribute Journal | Invoice ((NYS2K0016577-78) | Invoices provided by NYS 2000, but not disclosed in reports |
|                           |            | TOTAL   | \$138,241.44 |                                 |                            |   |

NYS 2000 reported printing/mailling costs of \$12,702.00 (\$3,247.50 design, \$5,500 postage, \$3,954.50 messenger).  
 Total unreported printing/mailling costs of \$125,539.44

#### TRAVEL & LODGING COSTS (all unreported):

| Vendor            | Payor        | Date    | Amount      | Description                                   | Evidence                             | Notes |
|-------------------|--------------|---------|-------------|---|--------------------------------------|-------|
| Travel Authority  | Aaron Tonken | 9/8/00  | \$29,935.80 | Possible source of payment for invoices below | Bank clearing statement (Paul docs)  |       |
| Travel Authority  | Aaron Tonken | 8/4/00  | \$30,048.31 | Possible source of payment for invoices below | Bank clearing statement (Paul docs): |       |
| Travel Authority  | Excelsior    | 8/11/00 | \$17,381.29 | Possible source of payment for invoices below | Check (Krausen docs)                 |       |
| Travel Authority  | Aaron Tonken | 8/24/00 | \$43,000.00 | Possible source of payment for invoices below | Check (Krausen docs)                 |       |
| Petersen Aviation | Aaron Tonken | 8/10/00 | \$55,582.88 | Flights for Cher (South Dakota)/Ali (Detroit) | Check/Invoices (Krausen docs)        |       |

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|                  |              |               |             |                  |   |  |
|------------------|--------------|---------------|-------------|------------------|---|--|
| Travel Authority | Aaron Tonken | 8/12/00       | \$7,360.79  | Lodging          | Invoice 12190<br>(Krausen docs)   | Ali, LaBelle band,<br>Ross band at Hilton      |
| Travel Authority | Aaron Tonken | 8/12/00       | \$8,528.00  | Flights          | Invoice 12310<br>(Krausen docs)   | LaBelle from BWI,<br>band from DCA             |
| Travel Authority | Aaron Tonken | 8/09/00       | \$2,784.50  | Flights          | Invoice<br>12313(Krausen<br>docs)   | Ross band                                      |
| Travel Authority | Aaron Tonken | 8/13/00       | \$5,708.00  | Flights          | Invoice 12314<br>(Krausen docs)   | Sugar Ray flights<br>out                       |
| Travel Authority | Aaron Tonken | 8/11/00       | \$2,558.65  | Flight & Lodging | Invoice 12319<br>(Krausen docs)   | Kitson from EWR,<br>stay at Hilton             |
| Travel Authority | Aaron Tonken | 8/12,13/00    | \$4,762.75  | Limousine        | Invoice 12411<br>(Krausen docs - for<br>last page see<br>computer printout) | Sugar Ray, LaBelle<br>and Ross from<br>airport |
| Travel Authority | Aaron Tonken | 8/12,13,14/00 | \$2,906.94  | Limousine        | Invoice 12414<br>(Krausen docs)   | Kitson, others                                 |
| Travel Authority | Aaron Tonken | 8/12/00       | \$1,942.81  | Flight           | Invoice 12417<br>(Krausen docs)   | Ross (minus<br>\$243.13 for Little<br>Richard) |
|                  |              |               | \$92,135.32 |                  |   |  |
|                  |              |               |             |                  |   |  |

REPORTED COSTS: Breakdown of \$366,564.69 reported as in-kind from "Stan Lee Media" (minus \$200,000 for Black Ink)

| Vendor                       | Payor        | Date    | Amount      | Description                  | Evidence   | Notes   |
|------------------------------|--------------|---------|-------------|------------------------------|--|---|
| Andy Gump                    | Paraversal   | 8/10/00 | \$4,442.00  | Restrooms                    | Invoice (NYS2K0016568);<br>Check (Nock docs)                             | Invoice says "2 VIP 30' Suite Trailer, 4 Attendants"                                |
| CLS Transportation - Chuck's | Paraversal   | 8/3/00  | \$6,057.00  | Mimicoaches                  | Invoice (NYS2K0016573)   | Invoice says "UCLA Parking Lot . shuttle dinner guests via 15 mimicoaches"          |
| Parking Service              | Wonderworks  | 8/17/00 | \$9,485.60  | Parking                      | Invoice (NYS2K0016572)   | Invoice says "Attendants: 35@\$88 per attendant"                                    |
| LA Party Rents               | Paraversal   | 8/3/00  | \$1,621.00  | Table Overlays, Underlays    | Invoice (NYS2K0016572)   |   |
| Spago                        | Excelstor    | 8/11/00 | \$63,788.48 | Catering                     | Check, Bank clearing statement (Peter Paul docs); Invoice (NYS2K0016559) |   |
| Spago                        | Wonderworks  | 8/17/00 | \$6,070.35  | Catering                     | Invoice, Check (NYS2K0016561)  | Copy of invoice and check on same page  |
| Regal Rents                  | Paraversal   | 8/7/00  | \$18,000.00 | Dinner & Reception equipment | Invoices (NYS2K0016549-68) (Nock docs)                                   |   |
| Regal Rents                  | Paraversal   | 8/11/00 | \$18,000.00 | Dinner & Reception equipment | Invoices (NYS2K0016549-68) (Nock docs)                                   |   |
| Regal Rents                  | Wonderworks  | 9/13/00 | \$7,512.98  | Dinner & Reception equipment | Invoices (NYS2K0016549-68) (Nock docs)                                   |   |
| ECS&S                        | Paraversal   | 8/3/00  | \$1,217.81  | Golf carts                   | Invoice, Check (NYS2K0016574)  |   |
| Ishikata, Glen               | Aaron Tonken | 7/31/00 | \$2,726.15  | Chocolate star               | Invoice (NYS2K0016569)   | Invoice says "9 Cylinder ... 250 ... GM Floral Co." (two other checks not reported) |
| Amazing Grace                | Aaron Tonken | 8/1/00  | \$744.21    | Design                       | Invoice (NYS2K0016562)   | NYS 2000 did not provide source of payment  |
| Images By Lighting           | See notes    | 8/12/00 | \$5430.00   | Lighting                     | Invoice (NYS2K0016563), Fax sheet (Nock docs)                            |   |
| Essentia                     | Aaron Tonken | 7/24/00 | \$978.31    | Candles                      | Invoice (NYS2K0016562)   |   |



|                                   |                                 |         |                           |   |   |   |  |
|-----------------------------------|---------------------------------|---------|---------------------------|---|---|---|--|
| Candies                           |                                 |         |                           |   |   |   |  |
| Artecica                          |                                 |         | \$637.44                  | Dinner Star Lights<br>(from Budget)     | Invoice (NYS2K0016565);<br>Check (Nock docs)        | Invoice says "50 Suria, White..."<br>Separate payment of \$23.96 not<br>reported                                |  |
| US Postmaster                     | Cyberia (\$8,250)               | 7/24/00 | \$5,500.00                | Postage for<br>invitations              | Paul docs; Pat Waters depo at<br>201-05             | Did not report full amount –<br><i>Included in Printing Costs chart</i>   |  |
| Kel-Toy                           | Aaron Tonken                    | 8/1/00  | \$1,534.83                | Gift bags                               | Check, invoices<br>(NYS2K0016570) (Nock<br>docs)    |   |  |
| Mimi et Cie                       | (Aaron Tonken -<br>-\$1,544.14) | 8/1/00  | \$1,426.53                | Garland twists for<br>tribute book bags | Check, invoices<br>(NYS2K0016571) (Nock<br>docs)    | Check amount was \$1,544.14<br>(Not all reported)   |  |
| Intercare<br>Cleaning             | Bretta Nock                     | 8/21/00 | \$2,140.00                | Trash                                   | Invoice (NYS2K0016548)                              | Invoice says "Clean and Haul<br>Trash"  |  |
| Parkin Design                     | Aaron Tonken                    | 7/31/00 | \$3,247.50                | Design                                  | Invoice (NYS2K0016580)                              | Invoice says "deposit for design<br>of cover and contents of book" –<br><i>Included in Printing Costs chart</i> |  |
| Teresa Lopez                      | Bretta Nock                     | 9/6/00  | \$1,990.00                | Office assistant                        | Time sheets<br>(NYS2K0016575); Check<br>(Nock docs) | Time sheets show hours from<br>7/24/00 through 8/12/00  |  |
| Victoria<br>Johnson (Ink<br>Well) | Bretta Nock                     | 8/15/00 | \$60.00                   | Place cards                             | Invoice (NYS2K0016548);<br>Check (Nock Docs)        |   |  |
| KBS<br>Messenger                  | Bretta Nock                     | 8/15/00 | \$3,954.50                | Deliveries                              | Invoice (NYS2K0016562);<br>spreadsheet (Nock docs)  | <i>Included in Printing Costs chart</i>   |  |
|                                   |                                 |         |                           |   |   |   |  |
|                                   |                                 |         | \$166,564.69 <sup>1</sup> |   |   |   |  |

<sup>1</sup> (Use \$153,862.69 when comparing, since \$12,702.00 is already included as reported Printing & Mailing costs, i.e., \$3,247.50 design, \$5,500 postage, \$3,954.50 messenger)

## REPORTED COSTS: Other In-kinds

| Vendor                                   | Payor   | Date      | Amount      | Description                                | Evidence  | Notes   |
|--|---------|-----------|-------------|--|---|---|
| Danone Waters, Santa Monica address      | In-kind | 8/12/2000 | \$2,150.00  | Food & Beverage                            | Invoice (NYS2K0016539); Danone invoice from Nock dated 12/19/00 says "\$2,150 value of in-kind donation"                                      | Invoice says "Evian Natural Spring Water"<br>Oct. Qtly, amended   |
| Empty Vase Florist, W. Hollywood Address | In-kind | 8/12/2000 | \$2,598.00  | Flowers                                    | Invoice (NYS2K0016547); 8/9/00 invoice from Nock in same amount (can't make out check); if this was paid by Paul, then wrong contributor name | Invoice says "Table Arrangements ... Bar Arrangements"<br>Oct. Qtly, amended  |
| Ferrari-Carano, Heraldsburg, CA          | In-kind | 8/12/2000 | \$3,000.00  | Food & Beverage                            | Invoice (NYS2K0016544); 11/08/00 fax to Nock, says donation of 10 cases of Chardonnay @ \$300/case  | Invoice says "Chardonnay," Budget says "Champagne"<br>Oct. Qtly, amended  |
| John & Pete's, La Cienega Blvd, LA       | In-kind | 8/12/2000 | \$2,000.00  | Food & Beverage                            | Invoice (NYS2K0016543); 10/20/00 fax to Nock, says "Hollywood Tribute," "value of Donated Liquor \$3,000" but "3" might be a "2"              | Oct. Qtly, amended  |
| Schramberg, Calistoga, CA                | In-kind | 8/12/2000 | \$2,411.00  | Food & Beverage                            | Invoice (NYS2K0016545); 11/8/00 invoice to Nock lists 3 items re "sparkling wine," totaling \$2,411   | Oct. Qtly, amended  |
| The Coffee Bean & Tea Leaf               | In-kind | 8/12/2000 | \$1,695.34  | Food & Beverage                            | Invoice (NYS2K0016546); 10/17/00 invoice to Nock, says donation to event was \$1695.34  | Budget says "Coffee reception"<br>Oct. Qtly   |
| The Franklin Mint, PA                    | In-kind | 8/12/2000 | \$21,000.00 | Publications (signed, first edition books) | Shipping document (NYS2K0016538)  | Oct. Qtly, amended<br>The Franklin Mint is owned by the Resnicks, who are referenced in the Tribute Journal on the "Tear Drop" Page |
|  |         |           | \$34,854.34 |  |   |   |

## REPORTED COSTS: Direct Expenses

| Payee   | Payor    | Date       | Amount       | Description        | Report            | Notes   |
|---|----------|------------|--------------|--------------------|-------------------|---|
| Black Ink Productions<br>David Rosen, 450<br>Seventh Ave. #804,<br>NY | NYS 2000 | 7/28/00    | \$100,000.00 | Concert Production | Oct. Q'tly        | Address listed is Stan Lee<br>Media's; Black Ink bank<br>statement shows \$100k<br>deposit on 8/01/00 |
| Christopher Fickes,<br>450 Seventh Ave.<br>#804, NY                   | NYS 2000 | 8/24/2000  | \$800.00     | Travel Expenses    | Oct. Q'tly        | Address listed was Clinton<br>for Senate's until 3/7/01   |
| Christopher Fickes,<br>450 Seventh Ave.<br>#804, NY                   | NYS 2000 | 8/1/00     | \$419.00     | Travel Expenses    | Oct. Q'tly        | Address listed is Clinton<br>for Senate's until 3/7/01  |
| Capital Strategies  | NYS 2000 | 8/1/00     | \$71.50      | Postage            | Oct. Q'tly        | Address listed was Clinton<br>for Senate's until 3/7/01   |
| Christopher Fickes,<br>450 Seventh Ave.<br>#804, NY                   | NYS 2000 | 8/7/00     | \$5,500.00   | Fundraising        | Oct. Q'tly        | Address listed was Clinton<br>for Senate's until 3/7/01   |
| Friends of Barbara<br>Boxer   | NYS 2000 | 8/28/2000  | \$2,575.20   | Travel Expenses    | Oct. Q'tly        | Address listed was Clinton<br>for Senate's until 3/7/01   |
| White House Airlift<br>Operations                                     | NYS 2000 | 9/12/2000  | \$126.80     | List Rental        | Oct. Q'tly        |   |
| Nannette Bedway<br>Studio, Cleveland<br>Ohio                          | NYS 2000 | 9/14/2000  | \$1,253.50   | Travel Expenses    | Oct. Q'tly        |   |
| White House Airlift<br>Operations                                     | NYS 2000 | 11/14/2000 | \$4,355.00   | Photography        | 30-day Post Gen'l |   |
| Christine Anderson,<br>Washington, DC                                 | NYS 2000 | 11/14/2000 | \$694.87     | Travel Expenses    | 30-day Post Gen'l |   |
| Nanda Chitre,<br>Washington, DC                                       | NYS 2000 | 12/15/2000 | \$14.88      | Travel Expenses    | Year-End          |   |
| Justin Coleman,<br>Washington, DC                                     | NYS 2000 | 12/15/2000 | \$34.50      | Travel Expenses    | Year-End          |   |
|   | NYS 2000 | 12/15/2000 | \$71.86      | Travel Expenses    | Year-End          |   |

|                                       |          |            |              |                 |          |  |
|---------------------------------------|----------|------------|--------------|-----------------|----------|--|
| James Dembo,<br>Washington, DC        | NYS 2000 | 12/15/2000 | \$137.63     | Travel Expenses | Year-End |  |
| Steven Dimunueo,<br>Washington, DC    | NYS 2000 | 12/15/2000 | \$58.07      | Travel Expenses | Year-End |  |
| Tina Eoff, Little Rock,<br>AK         | NYS 2000 | 12/15/2000 | \$48.87      | Travel Expenses | Year-End |  |
| Donald Erbach,<br>Washington, DC      | NYS 2000 | 12/15/2000 | \$51.21      | Travel Expenses | Year-End |  |
| Malcom Eve, Silver<br>Spring, MD      | NYS 2000 | 12/15/2000 | \$44.63      | Travel Expenses | Year-End |  |
| Ryan Golden,<br>Washington, DC        | NYS 2000 | 12/15/2000 | \$94.37      | Travel Expenses | Year-End |  |
| Lori Krause,<br>Arlington, VA         | NYS 2000 | 12/15/2000 | \$63.53      | Travel Expenses | Year-End |  |
| Karin Kullman,<br>Washington, DC      | NYS 2000 | 12/15/2000 | \$59.84      | Travel Expenses | Year-End |  |
| Craig Minassian,<br>Washington, DC    | NYS 2000 | 12/15/2000 | \$52.19      | Travel Expenses | Year-End |  |
| Jason Schechter,<br>Washington, DC    | NYS 2000 | 12/15/2000 | \$62.60      | Travel Expenses | Year-End |  |
| Caleb R. Shreve,<br>Washington, DC    | NYS 2000 | 12/15/2000 | \$105.36     | Travel Expenses | Year-End |  |
| Daniel Toolan, River<br>Forest, IL    | NYS 2000 | 12/15/2000 | \$27.41      | Travel Expenses | Year-End |  |
| Victoria Valentine,<br>Washington, DC | NYS 2000 | 12/15/2000 | \$31.30      | Travel Expenses | Year-End |  |
| Eric Woodard,<br>Washington, DC       | NYS 2000 | 12/15/2000 | \$124.91     | Travel Expenses | Year-End |  |
| Budget Rent-A-Car<br>Systems, Chicago | NYS 2000 | 12/19/2000 | \$779.33     | Travel Expenses | Year-End |  |
|                                       |          |            | \$117,658.36 |                 |          |  |

## UNREPORTED DINNER, RECEPTION &amp; OTHER COSTS:

| Vendor                       | Payor                 | Date    | Amount      | Description                | Evidence  | Notes  |
|------------------------------|-----------------------|---------|-------------|----------------------------|---|--|
| Amazing Grace                | Paraversal            | 8/7/00  | \$6,000.00  | Design                     | Check, Bank clearing statement                  | Preliminary Budget says "design elements"  |
| Amazing Grace                | Aaron Tonken          | 8/1/00  | \$1,380.18  | Design                     | Check, Invoice (Nock docs);                     | Invoice says "Khaki sheer voile, 350 chair overlays," "50 cases rose petals"; Preliminary Budget says "Natalie Fabrics - chair fabric" |
| Amazing Grace                | Aaron Tonken          | 8/1/00  | \$1,082.50  | Design                     | Check, Invoices (Nock docs);                    | Invoice says "50 cases rose petals"; Preliminary Budget says "Look Alive Flowers - Rose Petals"  |
| Rogers & Cowan               | Excelsior Productions | 7/21/00 | \$12,800.00 | Public Relations           | Check (Paul docs); Invoices, letters (R&C docs) |  |
| Kitson, Blossette            | Excelsior Productions | 7/19/00 | \$1,500.00  | Talent                     | Check, Bank clearing statement (Paul docs)      |  |
| F&S Fabric                   | Paraversal            | 8/2/00  | \$1,964.63  | Design                     | Check (Paul docs) (Nock docs);                  | 350 yards of 1" cheetah ribbon, 40 yards of 2" cheetah ribbon  |
| Nock, Bretta                 | Paraversal            | 7/8/00  | \$4,500.00  | Event planning             | Invoices (Nock docs)                            |  |
| Nock, Bretta                 | Paraversal            | 7/18/00 | \$3,000.00  | Event planning             | Check (Nock docs)                               |  |
| Nock, Bretta                 | Paraversal            | 8/11/00 | \$2,344.36  | Event planning             | Check (Nock docs)                               |  |
| Yarcusko, Joan               | Hollywood Holdings    | 7/5/00  | \$3,500.00  | Tonken's assistant         | Check (Paul docs)                               |  |
| Yarcusko, Joan               | Excelsior             | 7/11/00 | \$500.00    | Tonken's assistant         | Check (Paul docs)                               |  |
| Fidelity Bonding & Insurance | Paraversal            | 8/11/00 | \$10,585.00 | Liability Insurance        | Check, Invoice (Paul docs),                     |  |
| Ed Lozzi                     | In-kind               | 8/12/00 | \$10,000.00 | Media and Public Relations | Invoice, Letters, E-mails (Lozzi docs)          |  |

|                      |                              |  |            |                                      |  |  |
|----------------------|------------------------------|--|------------|--------------------------------------|--|--|
| Karen Alweil Studio  | Aaron Tonken                 | 7/28/00                                      | \$214.85   | 120 Illumination Sticks              | Invoice (Nock docs)                          | Preliminary Budget says "Matches"              |
| Sales Producers Inc. | Aaron Tonken                 | 8/1/00                                       | \$256.06   | Napkins                              | Check, invoice (Nock docs)                   | Preliminary Budget says "guest towels"         |
| Momba                | Aaron Tonken                 | 8/1/00                                       | \$109.40   | Panels                               | Check, invoice (Nock docs)                   | Preliminary Budget says "mosquito netting"     |
| Artecnic             | WonderWorks                  | 10/25/00                                     | \$23.96    | Not clear                            | Check (Nock docs)                            | NYS 2000 reported separate payment of \$637.44 |
| US Postmaster        | Cyberia (\$8,250)            | 7/24/00                                      | \$2,750.00 | Postage for invitations              | Paul docs; Pat Waters depo at 201-05         | Reported \$5,500 of \$8,250 cost               |
| Mimi et Cie          | (Aaron Tonken -- \$1,544.14) | 8/1/00                                       | \$117.61   | Garland twists for tribute book bags | Check, invoice (Nock docs)                   | Check was for \$1544.14, \$1,426.53 reported   |
| Staples              | Bretta Nock                  | 8/17/00                                      | \$9.95     | Office supplies                      | Receipt, account statement (Nock docs)       |  |
| Exxon                | Bretta Nock                  | 8/17/00                                      | \$14.14    | Gas                                  | Receipt, account statement (Nock docs)       |  |
| Office Depot         | Bretta Nock                  | 8/17/00                                      | \$194.84   | Office supplies                      | Receipt (Nock docs)                          |  |
| Action Messenger     | Bretta Nock                  | 8/17/00                                      | \$63.25    | Messenger service                    | Receipt, account statement (Nock docs)       |  |
| Hansen's Cakes       | Bretta Nock                  | 9/7 check for 20k;<br>9/12 check for \$13.5k | \$615.00   | President's cake                     | Vendor list (Nock docs)                      |  |
| JR Productions       | Bretta Nock                  | 9/7 check for 20k;<br>9/12 check for \$13.5k | \$170.00   | Radio/headsets on site               | Vendor list (Nock docs)                      |  |
| Wendy Hoag           | Bretta Nock                  | 9/7 check for 20k;<br>9/12 check for \$13.5k | \$433.00   | Clinton logo                         | Vendor list (Nock docs), Invoice (Hoag docs) |  |
| Lights Up            | Bretta Nock                  | 9/7 check for 20k;<br>9/12 check for \$13.5k | \$270.63   | Light added at reception area        | Vendor list (Nock docs)                      |  |

|                            |                       |  |              |                                       |  |  |
|----------------------------|-----------------------|--|--------------|---------------------------------------|--|--|
| Blue Room Events           | Bretta Nock           | 9/7 check for 20k;<br>9/12 check for \$13.5k | \$201.53     | Fed Ex, Telephone                     | Vendor list (Nock docs)                      |  |
| Robertson-Clifton          | Bretta Nock           | 8/15/00<br>(8/20/00 check for \$14,500)      | \$845.00     | Office Rent & Parking                 | Nock docs ("Bretta's reimbursements")        |  |
| Alana Hamilton Stewart     | Paraversal            | 7/18/00                                      | \$10,000.00  | Talent                                | Check, bank clearing (Paul docs)             |  |
| Beverly Hills Hotel        | Aaron Tonken          |  | \$9,347.00   | Rosen's hotel bill                    |  | Rosen used credit card, then reimbursed by Tonken  |
| Blue Sands, Barnazel       | In-kind               | 8/12/00                                      | \$1,500.00   | 125 silkscreened shirts worn by staff | Invoice (Guinee docs);                       | In-kind contribution from Barnazel, not Peter Paul |
| Blue Room Events (Staszko) | Excelsior             | 7/28/00                                      | \$7,500.00   | Event planning                        | Bank clearing statement, invoice (Paul docs) |  |
| Paul Anka Productions      | Aaron Tonken          | 9/14/00                                      | \$9,124.90   | CDs                                   | Check, deposit ticket, invoice (Anka docs)   | 1,400 CDs of "Paul Anka's Greatest Hits"           |
| The Mail Room              | Celebrity Enterprises | 8/10/00                                      | \$6,149.21   | Deliveries                            | Check, clearing statement, (Paul docs)       | Director's chairs                                  |
|                            |                       |  | \$109,067.00 |                                       |  |  |
|                            |                       |  |              |                                       |  |  |
|                            |                       |  |              |                                       |  |  |

NYS 2000 reported dinner, reception and other costs of \$306,375.39 (\$153,862.69 in-kind from Stan Lee Media, \$34,854.34 in-kinds from others, and \$117,658.36 in direct costs)  
 Total unreported dinner, reception and other costs: \$109,067.00