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February 19, 2004

**VIA FACSIMILE AND MAIL**

Peter G. Blumberg, Esq.  
Attorney  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Re: Matter Under Review 5279

Dear Mr. Blumberg:

Enclosed is an executed copy of the tolling agreement. Consistent with our discussions of yesterday and the outline of the agreement we forwarded, our understanding is that the "standstill" period (holding all formal discovery in abeyance) will run concurrently with the 45-day tolling period. If for any reason the "standstill" period were to be cut short, our agreement is that the tolling period will cease, as well. We understand the "standstill" period will run from February 19, 2004 to April 5, 2004. If this does not accurately describe our agreement, please notify me immediately.

I hope this arrangement will provide us a constructive structure for continuing our on-going discussions toward resolution of this matter.

Sincerely,

Jan Witold Baran

Enclosure

cc: Clive S. Cummis, Esq.  
Robert F. Bauer, Esq.  
Bruce I. Goldstein, Esq.

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FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:

The Kushner Companies;  
 40 Associated Partnerships;  
 Charles Kushner; Richard Stadtmauer;  
 and Jeffrey Freireich

MUR: 5279

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CONSENT TO EXTEND TIME  
 TO INSTITUTE A CIVIL LAW ENFORCEMENT SUIT

The Kushner Companies and the Associated Partnerships<sup>1</sup>, Charles Kushner, Richard Stadtmauer, and Jeffrey Freireich, (collectively, "Respondents") have requested that the Commission extend pre-probable cause conciliation discussions for an additional forty-five days. The Commission will agree to this request, provided that Respondents agree to toll the statute of limitations for a period of Forty-five (45) days for any civil enforcement action that the Commission might institute concerning MUR 5279 pursuant to 2 U.S.C. § 437g(a)(6).

By signing below, Respondents thereby agree to extend the time in which the Commission may institute a civil law enforcement suit for a period of Forty-five (45) calendar days from the expiration date of the five-year statute of limitations found at 28 U.S.C. § 2462,

<sup>1</sup> "Associated partnerships" shall include the following partnerships as well as any other entities with a connection to "Kushner Companies" or Charles Kushner: 135 Montgomery Associates; 836 Avenue Associates; BP Developers, L.P.; Brick Building Associates, L.P.; Bruckner Plaza Associates; Colfax Manor, L.P.; College Park Associates, L.P.; Constantine Village Associates; Dara Building Associates, L.P.; East Brunswick Corporate Center; Edgewater Apartments Associates, L.P.; Elmwood V. Associates, L.P.; General Greene Village Associates; Glen Ellen Associates, L.P.; Hackettstown Square Associates; Harbor Island Realty Associates, L.P.; Kent Gardens Associates; Kushner Sciden Madison 64<sup>th</sup>, L.P.; LMEC Associates, L.P.; Millburn Associates, L.P.; Montgomery Associates; Mt. Arlington Apartments Associates, L.P.; New Puck, L.P.; Oakwood Garden Developers, L.P.; Pheasant Hollow Associates; Piney Farms Associates, L.P.; QEM Associates, L.P.; Quail Ridge Associates, L.P.; Randolph Building Associates, L.P.; Reike, L.P.; Riverside Park Industrial Associates, L.P.; Rolling Gardens Associates; Seven S.L.P. Associates, L.P.; Sixty Six West Associates; Sod Farms Associates, L.P.; Sparta Building Associates, L.P.; Township Associates; Walkill Apartments Associates, L.P.; West Brook Associates, L.P.; Westminster Sales & Marketing, L.P.

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Federal Election Commission  
Tolling Agreement for MUR 5279  
February 18, 2004

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and/or any other statute of limitations or repose that may be applicable in this matter. There shall be no additional consent to extend the time to institute a civil law enforcement suit without the written consent of Respondents.



Jan Witold Baran  
Counsel for Respondents

Date

2/19/04

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