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May 5, 2004

Mark D. Shonkwiler, Esq.  
Associate General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20006

Re: MUR 5279

Dear Mr. Shonkwiler:

Pursuant to our discussion of this afternoon, enclosed is a executed agreement tolling for seven (7) additional days the relevant civil statute of limitations on behalf of our clients The Kushner Companies, Inc., the 40 Respondent Partnerships, and individuals Mr. Charles Kushner, Mr. Richard Stadtmauer and Mr. Jeffrey Freireich. This agreement will extend the tolling/standstill period from May 5, 2004 to May 12, 2004. All prior agreements regarding the standstill period and discovery remain effective.

Sincerely,

  
Jan Witold Baran

Enclosure

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

Jan Witold Baran  
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jbaran@wrf.com

Via Fax &amp; Mail

RECEIVED  
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

THIRD 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") <sup>and</sup> ~~have requested~~ that the  
 Commission <sup>have agreed to</sup> extend pre-probable cause conciliation discussions for an additional <sup>seven</sup> ~~thirty~~ days.

The Commission will agree to this request, provided that Respondents agree to toll the statute of  
 limitations for a period of an additional <sup>seven</sup> ~~thirty~~ days for any civil enforcement action that the  
 Commission might institute concerning MUR 5279 pursuant to 2 U.S.C. § 437g(a)(6).

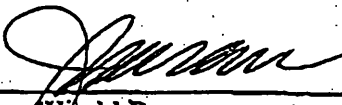
Combined with the previous two tolling agreements signed by Respondents, this agreement  
 thereby extends the time in which the Commission may institute a civil law enforcement suit to a

<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 Seiden 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; Pitney Farms Associates, L.P.; QEM Associates, L.P.; Quail Ridge Associates, L.P.; Randolph Building Associates, L.P.; Relke, 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; Walkkill Apartments Associates, L.P.; West Brook Associates, L.P.; Westminster Sales & Marketing, L.P.

Federal Election Commission  
Third Tolling Agreement for MUR 5279  
May 5, 2004

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total of ~~one hundred five~~ <sup>eighty-two 82</sup> (105) calendar days from the expiration date of the five-year statute of limitations found at 28 U.S.C. § 2462 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.

  
Jay Wyold Baran  
Counsel for Respondents

5/5/04  
Date