

**EXHIBIT A**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X  
TRUMP BRIARCLIFF MANOR DEVELOPMENT, LLC,

Index No. 07670-07

Plaintiff,

-against-

MORRISON COHEN LLP,

Defendants.

**AFFIDAVIT OF  
Y. DAVID SCHARF IN  
SUPPORT OF DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT**

-----X

STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF NEW YORK )

Y. DAVID SCHARF, an attorney duly admitted to practice law in the State of New York,  
hereby swears under the penalties of perjury as follows:

1. I am a member of the law firm of Morrison Cohen LLP ("MC"), Defendant in this action. I acted as lead counsel for plaintiff Trump Briarcliff Manor Development LLC ("Trump") in its action entitled Trump Briarcliff Manor Development LLC, v. Columbus Construction Corp., et al., Index #12562-01 (the "Columbus Action") and am thus fully familiar with the facts and circumstances stated and herein. I respectfully submit this affidavit in support of MC's motion for an Order pursuant to CPLR 3212 granting it partial summary judgment dismissing Trump's complaint in the instant action dated April 12, 2007, in its entirety and granting MC its costs, attorneys' fees and such other and further relief as the court deems just and proper. A copy of Trump's summons and complaint is attached hereto as Exhibit A. A copy of MC's answer and counterclaims (without exhibits) is attached as Exhibit B.

2. This frivolous action is an affront to the legal system. After vigilantly pursuing Trump's claims and successfully defending Trump for over four years, involving extensive discovery and motion practice, MC emerged victorious after a lengthy bench trial, garnering Trump over \$2 million in damages and \$1.3 million in attorneys' fees. Trump, delinquent in paying its legal fees throughout MC's representation of it, then filed this frivolous malpractice action despite these tremendous results, in a transparent attempt to avoid paying MC the nearly \$500,000 it still owes for MC's services.

3. Justice Rudolph has already ruled twice that MC did not commit malpractice when he awarded Trump its reasonable attorneys' fees. Likewise, Trump itself conceded the propriety of MC's representation when it, with a full opportunity to assert malpractice as a defense, consented to the entry of a charging lien against in MC's favor in the amount of its total debt to MC in legal fees, \$464,474.90, which was "So Ordered" by the Court. Trump's complaint, devoid of both factual and legal merit must therefore be dismissed.

#### **Trump Retains MC to Commence the Columbus Action**

4. In or about August of 2001, Trump retained MC<sup>1</sup> to represent it in connection with a dispute with Columbus Construction Corp. ("Columbus"), an excavation contractor which Trump had hired to work on the Trump National Golf Course and condominium project which it was developing in Briarcliff Manor, New York (the "Project"). A copy of MC's August 21, 2001, retainer agreement with Trump (the "Retainer Agreement") is attached hereto as Exhibit C.

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<sup>1</sup> At that time MC was known as "Morrison Cohen Singer & Weinstein, LLP."

5. The Columbus Action was in essence a race to the courthouse which MC, on behalf of Trump, won. Columbus and Trump were each threatening each other with suit and significant damage. Litigation was inevitable and Trump wanted to be the plaintiff.

6. Trump had hired Columbus for the Project pursuant to two contracts which called for it to perform certain work. The first contract, dated July 17, 2000 provided for the performance of certain earthwork excavation on the Project (the "Earthwork Agreement"), while the other, dated November 1, 2000, provided for Columbus to complete the infrastructure on the Project (the "Infrastructure Agreement"). Copies of the Earthwork Agreement and the Infrastructure Agreement are attached hereto as Exhibits D and E respectively.

7. The Earthwork Agreement and Infrastructure Agreement were both guaranteed by performance bonds issued by Liberty Mutual Insurance Company ("Liberty").

8. After getting into a dispute with Trump over payment, Columbus walked off the Project.

9. Accordingly, on August 16, 2001, MC on behalf of Trump, commenced the Columbus Action against Columbus and its principal, August A. Nigro, by filing a summons and complaint asserting claims of breach of contract (alleging Columbus' breach of both the Earthwork Agreement and the Infrastructure Agreement), fraud, breach of the covenant of good faith and fair dealing and declaratory judgment. A copy of Trump's summons and complaint is attached hereto as Exhibit F.

#### **The Long History of MC's Services for Trump**

10. Columbus, on September 7, 2001, answered Trump's complaint and asserted counterclaims for breach of contract (alleging Trump's breach of both the Earthwork Agreement and the Infrastructure Agreement), account stated, quantum meruit and unjust

enrichment seeking in excess of \$1,950,000 in damages plus costs and attorneys' fees. A copy of Columbus' verified answer and counterclaim is attached hereto as Exhibit G.

11. On November 1, 2001, MC amended Trump's complaint to add claims for injunctive relief to prevent Columbus from entering on the worksite and interfering with the Project, unjust enrichment and violation of the New York Lien Law. A copy of Trump's amended complaint is attached hereto as Exhibit H.

12. In response, on November 19, 2001, Columbus served a verified amended answer and counterclaim which added Donald J. Trump (Trump's principal) and Greenwich Insurance Company as counterclaim defendants and asserted additional counterclaims for breach of contract, breach of the covenant of good faith and fair dealing, fraud and foreclosure of mechanic's lien. A copy of Columbus' amended answer and counterclaim is hereto attached as Exhibit I.

13. Thereafter, in late December, 2001, Trump made a motion to dismiss Columbus' counterclaims for fraud and to foreclose Columbus' mechanic's lien.

14. On January 24, 2002, Columbus cross-moved to serve a supplemental summons and second amended answer with counterclaim.

15. On January 25, 2002, Columbus cross-moved to dismiss Trump's cause of action for fraud and to oppose Trump's motion to dismiss its fraud counterclaim.

16. On October 8, 2002, Columbus served its second amended verified answer and counterclaims. A copy of Columbus' second amended verified answer and counterclaims is attached hereto as Exhibit J.

17. In October, 2002, after months of unsuccessful attempts by MC on behalf of Trump to obtain Liberty's performance under its performance bonds, Trump decided to commence suit against Liberty. Trump attempted to obtain Columbus' consent to the amendment of Trump's complaint to add Liberty as a defendant; however, Columbus refused to so stipulate. Trump therefore had to make a motion for leave to amend and serve a supplemental summons. The Court granted Trump's motion, and also discharged two surety bonds issued by Counterclaim-Defendant Greenwich Insurance Company guaranteeing Trump's performance on the Project.

18. Trump's second amended complaint was filed and served upon Liberty on April 14, 2003. A copy of Trump's second amended complaint is attached hereto as Exhibit K.

19. Shortly thereafter on April 25, 2003, in response to requests made by Columbus and Liberty, Trump amended its complaint for a third and final time. Copies of Trump's third amended complaint, Columbus' and Liberty's answers and counterclaims are attached hereto as Exhibits L, M and N respectively.

20. During the foregoing motion practice, discovery proceeded. Dozens of boxes worth of documents were produced and reviewed. Nine depositions were taken over the course of fourteen days. Various interrogatories and notices to admit were propounded and responses exchanged among the parties.

21. Trump retained 2 expert witnesses: TRC Raymond Keyes, to analyze survey data in order to calculate cut yards excavated by Columbus under the Earthwork Agreement, and Charles River Associates (formerly Intecap), to apply the quantities determined by TRC Raymond Keyes and compute the damages incurred by Trump as a result of the

Defendants' breaches. Each expert prepared reports which were provided to Columbus and Liberty, and prepared a second round of reports in response to inquiries and comments by Columbus. The second round of Trump's experts' reports was provided to Columbus and Liberty as well.

22. Discovery disputes arose throughout the discovery process, and approximately fourteen conferences (including telephone conferences) were held with the Court. For example, on four separate occasions, Trump demanded a copy of Liberty's underwriting file for Columbus. Liberty refused. On three occasions, Trump demanded documents which Columbus claimed supported its counterclaim for lost profits against Trump, none of which Columbus produced until the eve of trial.

23. On March 4, 2004, Liberty made a motion for partial summary judgment to dismiss Trump's claim for punitive damages. Columbus also made a motion for partial summary judgment to limit Trump's damages.

24. By decision dated December 10, 2004, the Court denied Columbus' motion for partial summary judgment, finding an issue of fact as to whether Columbus had materially breached the Agreements. On January 3, 2005, the Court granted Liberty's motion for partial summary judgment dismissing Trump's claim for punitive damages.

### **The Trial and Verdict**

25. After almost four years of discovery and motion practice, the trial took place from May 16, 2005, through June 9, 2005.

26. Preparation for the trial required months of effort on behalf of Trump including: (a) analysis of tens of thousands of documents; (b) analysis of Columbus' "lost profits" documents produced (finally) on the eve of trial; (c) analysis of prior witness testimony

via transcript and affidavit; (d) fact and expert witness preparation; (e) designation of trial exhibits and negotiation of authenticity and admissibility of proposed exhibits; and (f) creation of trial exhibits, including demonstratives.

27. Trial submissions required the drafting of: (a) six subpoenas; (b) a memorandum of law; (c) three motions in limine; (d) opposition papers to Columbus' motion in limine; and (e) witness and exhibit lists.

28. As a result of Columbus' eve-of-trial production of documents regarding its claim for lost profits, a "mid-trial" second deposition of Columbus' Damon Petrillo was required.

29. During the trial, Liberty advanced a defense to payment on the Bonds which it had never asserted in its answer, in any of its correspondence with Trump over the relevant four-year period, and the basis for which Liberty witness Nina Durante had never disclosed during her deposition. This required a mid-trial motion with briefing. Trump also prepared and argued a directed verdict motion following the close of Columbus' case, which was successful in dismissing several of Columbus' counterclaims.

30. Finally, post-trial submissions required significant analysis of all of the evidence admitted at trial (documents and testimony), drafting of Trump's post-trial memorandum, analysis of Columbus' post-trial memorandum and drafting Trump's reply memorandum. For the convenience of the Court, Trump's post-trial submissions included page and line references to the 2,651 page transcript from the trial.

31. After all of this, on November 4, 2005, Justice Rudolph issued a Findings of Fact and Conclusions of Law Verdict in favor of Trump and against Columbus and Liberty,



dismissing all of Columbus' counterclaims (the "Verdict"). A Copy of the Verdict is attached hereto as Exhibit O.

32. Specifically, the Court made the following findings in the Verdict:

- Columbus' Notice to Terminate and voluntarily leaving the Project and refusal to continue work on the Earthwork Agreement was without just cause and therefore constituted a material breach of contract. Ex. O at p.12, ¶26.
- Columbus' Notice to Terminate and voluntarily leaving the Project and refusal to continue work on the Infrastructure Agreement was without just cause and therefore constituted a material breach of contract. Ex. O at pp. 20-21, ¶50.
- Liberty issued a performance bond to secure Columbus' obligations under the Earthwork Agreement in the sum of \$2,000,000. Ex. O at p. 6, ¶ 8.
- Liberty, as surety, having failed to exercise its various rights to perform and complete, is liable to Trump for the completion costs less the unpaid balance on the GMP (\$434,522.). Ex. O at p. 13, ¶34.
- The parties stipulated prior to the trial of this action that the prevailing party is entitled to attorneys' fees as set forth in the contracts at issue. Ex. O at p. 22, ¶63.
- In lieu of a plenary hearing on the issue of attorneys' fees, the Court directs plaintiff's attorney to serve on defendant's attorney and file with the Clerk of the Commercial Division an affirmation of attorneys' services and supporting documentation within twenty (20) days from the date hereof. Opposition papers to be served and filed within ten (10) days of receipt of plaintiff's submissions. Ex. O, at pp. 25-26, ¶5.

33. On November 23, 2005, pursuant to the Court's order in the Verdict, MC submitted its application for attorneys' fees, seeking an award of \$1,452,646.70 on behalf of Trump. A copy of MC's Affirmation of Attorney's Services (without exhibits) is attached hereto as Exhibit P.

34. Thereafter, another round of briefing ensued as Columbus and Liberty made a motion to set aside a portion of the Verdict. The motion, however, was unsuccessful.

35. After denying Columbus' and Liberty's motion, on May 25, 2006, the Court entered a final judgment against Columbus and Liberty on behalf of Trump (the "Judgment") and issued an Order directing Trump to re-submit its application for attorneys' fees, designating, where possible, that counsel fees and expenses were incurred for the Earthwork Agreement and the Infrastructure Agreement. Copies of the Judgment and Order regarding attorneys' fees are attached hereto as Exhibits Q and R respectively.

36. Complying with the Court's May 25, 2006 Order, MC re-submitted Trump's application for attorneys' fees on June 26, 2006, seeking an award of \$1,576,661.10 on behalf of Trump.<sup>2</sup> A copy of MC's Supplemental Affirmation of Attorney's Services is attached hereto as Exhibit S.

37. On September 6, 2006, Justice Rudolph issued an eighteen page Decision and Order awarding Trump \$1,315,949.86 in attorneys' fees, costs and disbursements, of which Columbus was liable for \$820,892.38 and Columbus and Liberty were jointly and severally liable for \$495,057.48 (the "Attorney Fee Award"). A copy of the Court's Post Judgment Decision and Order Attorney's Fees is attached hereto as Exhibit T.

#### **Trump Terminates MC and Consents to a Charging Lien**

38. Despite this tremendous success, without any warning or explanation, Trump terminated MC's services on September 19, 2006.

39. That same day, MC received a letter indicating that Trump had hired DelBello Donnellan Weingarten Tartaglia Wise & Wiederkehr, LLP to replace MC. In that letter, Trump's new counsel requested that MC sign a consent to change attorneys.

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<sup>2</sup> The increase in amount of fees sought between Trump's original and supplemental fee applications reflects the costs incurred opposing Columbus and Liberty's motions to set aside the Verdict as well as preparation of the second fee application itself.

40. In response, MC consented to the change of counsel and simultaneously asserted a charging lien for MC's unpaid fees, as well as a retaining lien against the file, and delivered same to Trump's new counsel by my letter dated September 20, 2006.

41. At that time, Trump owed MC \$469,279.91 for services and disbursements for the period from May 2005 until June 2006.

42. The fifteen invoices<sup>3</sup> rendered to Trump during this time period, and the small partial payments made with respect to only two of the invoices are as follows:

<u>Invoice Date</u>	<u>Invoice No.</u>	<u>Amount</u>	<u>Payment</u>	<u>Balance</u>
6/9/2005	128136	\$ 87,097.00	\$ (9,271.47)	\$ 77,825.53
6/10/2005	128155	\$149,631.00	-	\$ 149,631.00
6/10/2005	128156	\$ 10,383.39	\$ (475.00)	\$ 9,908.39
9/16/2005	130947	\$ 79,828.44	-	\$ 79,828.44
10/31/2005	131946	\$ 694.85	-	\$ 694.85
11/9/2005	132351	\$ 46.60	-	\$ 46.60
1/27/2006	134419	\$ 77,040.36	-	\$ 77,040.36
2/9/2006	134865	\$ 37,319.56	-	\$ 37,319.56
3/8/2006	135741	\$ 10,499.54	-	\$ 10,499.54
4/14/2006	136793	\$ 465.45	-	\$ 465.45
5/5/2006	137426	\$ 423.55	-	\$ 423.55
6/16/2006	138946	\$ 1,511.71	-	\$ 1,511.71
7/25/2006	140045	\$ 17,517.86	-	\$ 17,517.86
8/10/2006	140620	\$ 1,762.06	-	\$ 1,762.06
10/16/2006	142529	\$ 4,805.01	-	\$ 4,805.01
<b>TOTAL</b>				<b>\$ 469,279.91</b>

43. Thus, commencing with the invoices rendered to Trump in June 2005, Trump has made no payments to MC (except for two very small partial payments with respect to two invoices), leaving \$469,279.91 due and unpaid to MC for the period from June 10, 2005 to the through September 30, 2006.

<sup>3</sup> Copies of these invoices are attached hereto as Exhibit U.

44. The invoices that Trump has refused to pay include invoices for services rendered in connection with the trial of the Columbus Action from May 16, 2005 through June 9, 2005; the post-trial proposed finding of fact and conclusions of law upon which the Verdict was based; the opposition to defendants' post-verdict motions to set-aside a portion of the verdict; preparation and submission of a judgment in this case; preparation and submission of an extensive affirmation of services in support of an award of attorneys' fees; at the Court's direction, the preparation of a supplemental affirmation of attorneys' fees; and various settlement conferences, court conferences, and other activities in furtherance of Trump's claims.

45. Accordingly, MC served a Notice of Charging Lien on Trump in the amount of \$469,279.91 and commenced a special proceeding by Notice of Petition to enforce the Charging Lien and set the amount due thereunder (the "Charging Lien"). Copies of MC's Notice of Charging Lien and Order to Show Cause and Verified Petition to fix and enforce its Charging Lien are attached hereto (without exhibits) as Exhibits V and W respectively.

46. After MC commenced the special proceeding, even though it then had the opportunity to assert any claims of malpractice it believed it had, Trump's new counsel agreed to resolve the Petition and stipulate to the Charging Lien, which was "So Ordered" by the Court. Trump's "So Ordered" Stipulation and Order to the Charging Lien are attached as Exhibit X.

#### **Trump Brings This Frivolous Action**

47. On April 26, 2007, Trump commenced this action alleging MC's malpractice by filing a summons and complaint. MC has answered Trump's complaint and asserted counterclaims for an account stated and enforcement of the Charging Lien. Ex. B.

48. Trump makes a completely vague, conclusory and unsupported allegation that MC committed malpractice by pursuing Trumps claims on the Infrastructure Agreement,

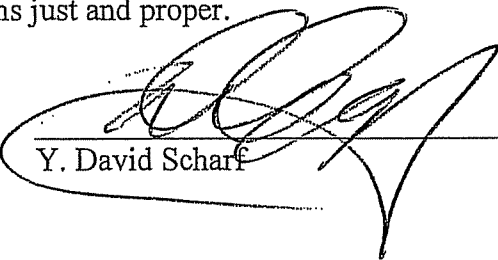
because it allegedly knew that no meaningful recovery could be had on that agreement. Ex. A, ¶¶ 22, 26, 30.

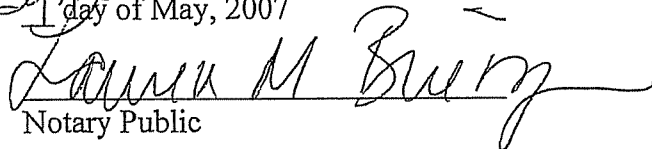
49. However, Trump's complaint makes no assertions as to why this was the case or exactly how MC knew that there could be no meaningful recovery.

50. Moreover, regardless of Trump's allegations, whether the Infrastructure Agreement was breached would have been litigated even had Trump not pursued a claim for damages, because Columbus asserted counterclaims against Trump for its breach.

51. Justice Rudolph has already adjudged twice that MC's legal services were both successful and reasonable. Trump himself admitted as much by consenting to the Charging Lien. Accordingly, Trump's bringing of this lawsuit is nothing more than a transparent attempt to avoid paying MC the remaining money that it owes and should be dismissed in right order.

For the foregoing reasons, Defendant respectfully requests that the Court grant it partial summary judgment dismissing Trump's complaint in its entirety together with MC's attorneys' fees, costs and such other relief as this Court deems just and proper.

  
Y. David Scharf

Sworn to before me this  
27<sup>th</sup> day of May, 2007  
  
Notary Public

LAUREN M. BRIENZA  
Notary Public, State of New York  
No. 01BR6067228  
Qualified in Nassau County  
Certificate Filed in Nassau County  
Commission Expires December 3, 2009

**EXHIBIT B**

# MorrisonCohen LLP

016036  
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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/09/05  
INVOICE # 128136

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATIO  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF MAY 15, 2005

	ATTORNEY	HOURS	VALUE
05/01/05	MEF	0.50	237.50
05/02/05	YDS	2.60	1,235.00
05/02/05	MEF	8.60	4,085.00
05/02/05	LM	7.60	1,254.00
05/03/05	YDS	3.00	1,425.00
05/03/05	LM	8.50	1,402.50
05/03/05	MEF	7.00	3,325.00
05/04/05	LM	6.80	1,122.00

# MorrisonCohen LLP

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/09/05  
INVOICE # 128136

FOR PROFESSIONAL SERVICES RENDERED AS OF MAY 15, 2005

	ATTORNEY	HOURS	VALUE
05/04/05	YDS	2.00	950.00
EXHIBITS AND UPDATE WITNESS LIST; PREPARE JUDICIAL SUBPOENAS. PREPARE TRIAL BINDER FOR DONALD J. TRUMP; CALL WITH M. FLYNN TO K. PLUNKETT; TRIAL PREPARATION OF MATERIALS FOR V. STELLIO DIRECT INCLUDING VIDEO; ADDRESSING POTENTIAL TRIAL SUBPOENA.			
05/04/05	MEF	8.20	3,895.00
TRIAL PREP: SALES OF UNITS; PREPARATION OF REVISED DAMAGES OUTLINE FOR EXAMINATION OF HELMES; ISSUES FOR VS DIRECT; WORK ON OUTLINES; FINALIZE PRE-TRIAL BRIEF.			
05/05/05	LM	9.90	1,633.50
ASSIST WITH TRIAL PREPARATIONS; PREPARE TABLE OF AUTHORITIES FOR PRE-TRIAL MEMORANDUM OF LAW; FINALIZE PRE-TRIAL MEMORANDUM OF LAW; UPDATE EXHIBIT LIST AND COMPILE EXHIBITS; UPDATE WITNESS LIST.			
05/05/05	YDS	3.00	1,425.00
PREPARATION CALL WITH CHRIS DETHOMAS; WORKING ON PRE-TRIAL SUBMISSIONS; PREPARE R. THOMPSON WITNESS DESIGNATIONS; ADDRESS ISSUES RE [REDACTED]			
05/05/05	ERH	7.00	1,925.00
ISSUES RE [REDACTED] RE [REDACTED] TRIAL PREP; RESEARCH RE: [REDACTED]			
05/05/05	MEF	7.80	3,705.00
T/C W/OPOSING COUNSEL; COMPLETE ALL PRE-TRIAL DOCS DUE TO COURT TOMORROW, PRE-TRIAL BRIEF, EXHIBIT/WITNESS LISTS, DEPO DESIGNATIONS; RW ZINNER'S PROPOSED AMENDED PLEADING; T/C W/PLUNKETT RE: [REDACTED]			
05/06/05	MEF	8.80	4,180.00
REVISING DAMAGES CHARTS FOR BRIEF REVIEW THOMPSON DESIGNATION; T/C W/ZINNER RE: [REDACTED] RW NEW PRO FORMAS FROM HELMES DELETING HIGHLANDER CONDOS; MTG W/YDS RE: [REDACTED]			





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016036  
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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/09/05  
INVOICE # 128136

FOR PROFESSIONAL SERVICES RENDERED AS OF MAY 15, 2005.

	ATTORNEY	HOURS	VALUE
05/10/05	MEF	9.90	4,702.50
05/11/05	YDS	3.50	1,662.50
05/11/05	MEF	10.20	4,845.00
05/11/05	LM	7.30	1,204.50
05/12/05	MEF	9.30	4,417.50
05/12/05	ERH	2.80	770.00
05/12/05	LM	6.80	1,122.00
05/12/05	YDS	2.00	950.00
05/13/05	MEF	8.80	4,180.00
05/13/05	ERH	1.00	275.00

# MorrisonCohen LLP

016036  
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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/09/05  
INVOICE # 128136

FOR PROFESSIONAL SERVICES RENDERED AS OF MAY 15, 2005

	ATTORNEY	HOURS	VALUE
05/13/05	[REDACTED]	YDS	6.50
05/13/05	PREPARATION OF V. STELLIO.	LM	6.20
05/13/05	ASSIST WITH TRIAL PREPARATIONS; UPDATE EXHIBIT LISTS AND EXHIBITS; COMPILER TRIAL MATERIALS.		
05/15/05	COMPILER AND ORGANIZE TRIAL MATERIALS; FINALIZE TRIAL EXHIBITS AND EXHIBIT LIST.	LM	9.00
05/15/05	COMPILER WITNESS BINDERS; UPDATE JUDGES BINDERS WITH UPDATED EXHIBITS.		
05/15/05	MTG W/GROGG FOR LAST PREP SESSION; T/C W/LM RE: [REDACTED] [REDACTED] ADDRESS POINTS FOR OPENING STATEMENT	MEF	8.50
05/15/05	PREPARE OPENING ARGUMENT FOR TRIAL.	YDS	3.00
05/15/05	PREP FOR TRIAL- FIRST WITNESS - GROGG	MEF	7:20

TOTAL FEES SERVICES.....\$ 87,097.00

TOTAL BALANCE DUE FOR THIS PERIOD.....\$ 87,097.00

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

# MorrisonCohen<sup>LLP</sup>

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/10/05  
INVOICE # 128155

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATIO  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 8, 2005

	ATTORNEY	HOURS	VALUE
05/16/05	YDS	7.00	3,325.00
05/16/05	MEF	10.70	5,082.50
05/16/05	LM	9.60	1,584.00
05/17/05	MEF	11.20	5,320.00
05/17/05	LM	0.60	99.00
05/17/05	YDS	10.00	4,750.00
05/18/05	TPM	2.40	60.00
05/18/05	YDS	7.00	3,325.00
05/18/05	MEF	9.30	4,417.50
05/18/05	LM	1.20	198.00
05/19/05	TPM	1.20	30.00
05/19/05	YDS	7.00	3,325.00
05/19/05	MEF	9.70	4,607.50
05/19/05	LM	2.40	396.00
05/20/05	MEF	5.20	2,470.00
05/20/05	YDS	4.00	1,900.00

# MorrisonCohen LLP

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/10/05  
INVOICE # 128155

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 8, 2005

		ATTORNEY	HOURS	VALUE
05/20/05	UPDATE BINDER OF TRIAL TRANSCRIPTS FOR COUNSEL TO REVIEW; COMPILE DOCUMENTS FOR COUNSEL'S REVIEW, RE: [REDACTED]	LM	2.50	412.50
05/21/05	[REDACTED] ORGANIZE COURT REPORTER FOR UPCOMING DEPOSITION. RESEARCH RE: [REDACTED]	ERH	5.00	1,375.00
05/22/05	[REDACTED] PREPARATION WITH D. TRUMP; ADDITIONAL PREPARATION.	YDS	1.00	475.00
05/22/05	PREP FOR TRIAL - HELMES	MEF	6.50	3,087.50
05/23/05	PREP AND TRIAL	MEF	8.90	4,227.50
05/23/05	TRIAL DAY 6 - C. DETHOMAS; PHIL. HELMS, D. TRUMP; MEETING WITH A. STARK RE TESTIFYING.	YDS	7.00	3,325.00
05/23/05	PREPARE DAMAGES CHART FOR TRIAL EXHIBIT. UPDATE TRIAL EXHIBIT CHART WITH ADMITTED EXHIBITS.	LM	1.30	214.50
05/24/05	REVISING EXHIBIT BOARDS; PREPPING HELMES; T/C W/ZINNER RE: ADD'L TRUMP WITNESS; RW TRIAL TRANSCRIPT AND TAB FOR USE WITH LATER WITNESSES; REVISING HELMES OUTLINE	MEF	10.70	5,082.50
05/24/05	UPDATE TRIAL TRANSCRIPTS AND LOAD ONTO SUMMATION FOR ATTORNEY REVIEW; UPDATE DAMAGE CHARTS FOR TRIAL EXHIBITS; ATTENDED TO ATTORNEY REQUEST REGARDING TRIAL MATTERS; COMPILE NEW TRIAL EXHIBITS.	LM	6.80	1,122.00
05/24/05	SEARCH DEPOSITION TRANSCRIPTS FOR MATERIALS REQUESTED BY COUNSEL FROM COURT AND PROVIDE RESPONSES	ERH	5.50	1,512.50
05/24/05	STRATEGY FOR P. HELMS TESTIMONY AND ADJUSTMENTS.	YDS	1.00	475.00
05/25/05	TRIAL; CONFER DIRECTED VERDICT ISSUES FOR RESEARCH	MEF	9.20	4,370.00
05/25/05	TRIAL DAY SEVEN - P. HELMS DIRECT AND CROSS.	YDS	7.00	3,325.00
05/25/05	TRIAL PREP; REVIEW DEPOSITION TESTIMONY FOR CROSS EXAMINATION AND RESEARCH RE: [REDACTED]	ERH	10.50	2,887.50

# MorrisonCohen LLP

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/10/05  
INVOICE # 128155

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 8, 2005

	ATTORNEY	HOURS	VALUE
05/25/05	LM	7.70	1,270.50
05/26/05	MEF	9.20	4,370.00
05/26/05	YDS	7.00	3,325.00
05/26/05	ERH	12.60	3,465.00
05/26/05	LM	7.00	1,155.00
05/27/05	YDS	4.00	1,900.00
05/27/05	MEF	4.20	1,995.00
05/27/05	ERH	2.00	550.00
05/27/05	LM	0.80	132.00
05/28/05	ERH	5.80	1,595.00
05/29/05	MEF	7.40	3,515.00
05/29/05	YDS	1.00	475.00







# MorrisonCohenLLP

DATE: 06/10/05  
INVOICE # 128155

016036  
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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 8, 2005

	ATTORNEY	HOURS	VALUE
06/08/05			
TO REVIEW; TELEPHONE CONFERENCE WITH PHIL HELMES; PREPARE COVER PAGES FOR DEPOSITION TESTIMONY; ORGANIZE PICK UP OF MATERIALS FROM COURT.			
TRAVEL TO AND FROM COURT TO PICK UP TRIAL MATERIALS; COMPILE AND ORGANIZE TRIAL MATERIALS IN WITNESS ROOM.	LM	4.40	726.00
06/08/05			
PREPARE AND FINAL TRIAL DAY	MEF	3.50	1,662.50
06/08/05			
TRUMP TRIAL DAY 13 - GROGG REBUTTAL DIRECT AND CROSS EXAMINATION; ADDRESSING AND ORGANIZING ALL TRIAL EXHIBITS AS REQUIRED BY JUDGE RUDOLPH; TELEPHONE CALL WITH DONALD J. TRUMP.	YDS	2.20	1,045.00

TOTAL FEES SERVICES.....\$ 149,631.00

TOTAL BALANCE DUE FOR THIS PERIOD.....\$ 149,631.00

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

# MorrisonCohen<sup>LLP</sup>

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0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/10/05  
INVOICE # 128156

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATIO  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 8, 2005

DISBURSEMENTS:	VALUE
MEALS	70.71
TRAVEL	124.95
TELEPHONE/FACSIMILE	288.98
PHOTOCOPYING	6,927.00
MAIL	515.28
MESSENGER	218.50
OVERTIME	501.77
SERVICE OF PROCESS FEES	375.00
STORAGE COSTS	25.30
DATABASE SEARCH	1,307.03
COMPUTERIZED COURT DOCKET SEARCH	28.87
TOTAL DISBURSEMENTS.....\$	10,383.39
TOTAL BALANCE DUE FOR THIS PERIOD.....\$	10,383.39

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

# MorrisonCohen LLP

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 09/16/05  
INVOICE # 130947

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATIO  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF AUGUST 31, 2005

	ATTORNEY	HOURS	VALUE
06/02/05	CONFES. MEF RE: [REDACTED]	DAP 0.30	130.50
06/09/05	LOAD TRIAL TRANSCRIPTS ON SUMMATION; COMPILE ORIGINAL TRIAL TRANSCRIPT FOR CASE FILE; COMPILE TRIAL TRANSCRIPTS FOR COUNSEL TO REVIEW; ORGANIZE TRIAL MATERIALS FOR CASE FILE.	LM 3.80	627.00
06/13/05	UPDATE ADMITTED EXHIBIT CHART; ORGANIZE TRIAL MATERIALS; COMPILE TRIAL TRANSCRIPTS FOR ATTORNEY REVIEW.	LM 3.10	511.50
06/14/05	BEGIN WORK ON POST-TRIAL PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW - OUTLINE	MEF 4.90	2,327.50
06/15/05	WORK ON POST-TRIAL FACT PORTION OF SUBMISSION	MEF 3.80	1,805.00
06/16/05	AUDIT LETTER REVIEW.	JL 0.40	200.00
06/17/05	RE-ORGANIZE TRIAL EXHIBITS IN PREPARATION OF POST TRIAL BRIEF.	LM 0.50	82.50
06/20/05	WORK ON POST-TRIAL SUBMISSION	MEF 3.70	1,757.50
06/23/05	CASE MANAGEMENT	LB 0.20	25.00
06/27/05	WORK ON POST-TRIAL SUBMISSIONS	MEF 4.80	2,280.00
06/29/05	WORK ON POST-TRIAL BRIEF	MEF 4.20	1,995.00
06/30/05	WORK ON POST-TRIAL BRIEF - LAW PORTION	MEF 2.70	1,282.50
07/07/05	WORKING ON POST-TRIAL BRIEF	MEF 6.60	3,135.00
07/11/05	WORK ON POST-TRIAL BRIEF	MEF 3.80	1,805.00
07/12/05	WORK ON POST-TRIAL BRIEF	MEF 2.60	1,235.00
07/13/05	DRAFTING FINDINGS OF FACT	MEF 5.60	2,660.00
07/14/05	DRAFTING FINDINGS OF FACT; RW TRANSCRIPT CITES FOR SAME	MEF 6.20	2,945.00
07/14/05	RESEARCH RE: [REDACTED]	DAP 0.70	304.50
07/15/05	RESEARCH RE: [REDACTED]	DAP 3.60	1,566.00

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 09/16/05  
INVOICE # 130947

FOR PROFESSIONAL SERVICES RENDERED AS OF AUGUST 31, 2005

	ATTORNEY	HOURS	VALUE
07/15/05	MEF	7.70	3,657.50
[REDACTED]			
07/15/05	MEF	7.70	3,657.50
07/16/05	MEF	6.60	3,135.00
07/17/05	MEF	6.70	3,182.50
07/18/05	MEF	3.80	1,805.00
07/18/05	YDS	0.30	142.50
07/19/05	LM	2.40	396.00
07/19/05	MEF	4.20	1,995.00
07/19/05	YDS	1.30	617.50
07/20/05	MEF	3.80	1,805.00
[REDACTED]			
07/20/05	LM	6.80	1,122.00
07/20/05	YDS	1.00	475.00
07/21/05	LB	0.10	12.50
07/21/05	YDS	1.00	475.00
07/21/05	LM	2.10	346.50
07/22/05	YDS	0.50	237.50
07/22/05	LB	0.60	75.00
07/22/05	LM	0.80	132.00
07/25/05	LB	0.20	25.00
07/25/05	YDS	0.50	237.50
07/25/05	LM	1.60	264.00
07/25/05	MEF	4.40	2,090.00

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THE TRUMP ORGANIZATION  
TRUMP BRIAARCLIFF MANOR LLC V. COLUMBUS

DATE: 09/16/05  
INVOICE # 130947

FOR PROFESSIONAL SERVICES RENDERED AS OF AUGUST 31, 2005

	ATTORNEY	HOURS	VALUE
07/27/05	MEF	3.30	1,567.50
POST-TRIAL SUBMISSIONS. WORK ON DRAFT OF REPLY PAPERS -- LEGAL ARGUMENT.			
07/28/05	MEF	4.90	2,327.50
WORK ON DRAFT REPLY PAPERS - FACTUAL CONTENTIONS.			
08/01/05	LB	0.10	12.50
CASE MANAGEMENT			
08/03/05	LB	0.20	25.00
OBTAINED JUDGE INFORMATION; ADJOURNED DATES FOR BRIEFS			
08/03/05	MEF	0.10	47.50
T/C W/FARELLY (JUDGE'S LAW SECRETARY) AND OPPOSING COUNSEL ZINNER			
08/08/05	MEF	6.80	3,230.00
WORKING ON REPLY MEMORANDUM			
08/09/05	MEF	5.30	2,517.50
WORKING ON REPLY MEMORANDUM			
08/10/05	YDS	0.70	332.50
REVIEW AND COMMENT ON POST TRIAL REPLY BRIEF.			
08/10/05	MEF	7.70	3,657.50
WORKING ON REPLY MEMORANDUM; COMPLETE DRAFT, FILL IN ALL RECORD CITES TO TRANSCRIPT, ADD'L CASE LAW ON [REDACTED]			
08/11/05	LB	0.20	25.00
TC WITH DFT COUNSEL RE [REDACTED] [REDACTED] DOCKETING AND CASE MANAGEMENT; ADJOURNED DATES			
08/11/05	LM	1.80	297.00
CITE CHECK REPLY POST TRIAL BRIEF.			
08/11/05	YDS	0.50	237.50
FINAL CHANGES TO REPLY SUBMISSION.			
08/11/05	MEF	1.50	712.50
REVISION TO FOOTNOTE AS PER YDS SIGN-OFF FOR FILING; T/C W/ADVERSARY'S OFFICE RE: THEIR REQUEST FOR AN EXTENSION			
08/12/05	LB	0.20	25.00
TC WITH DFT COUNSEL RE LETTER TO JUDGE'S CLERK; DOCKETING AND CASE MANAGEMENT			
08/19/05	LB	0.30	37.50
REVIEWED REPLY BRIEF; ARRANGED FOR FILING IN WESTCHESTER SUPREME			
08/22/05	LB	0.20	25.00
DOCKETING AND CASE MANAGEMENT			

TOTAL FEES SERVICES.....\$ 63,979.50

DISBURSEMENTS:

MEALS

VALUE

156.70

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 09/16/05  
INVOICE # 130947

FOR PROFESSIONAL SERVICES RENDERED AS OF AUGUST 31, 2005

DISBURSEMENTS:	VALUE
TRAVEL	2,147.25
TELEPHONE/FACSIMILE	59.78
DOCUMENT REPRODUCTION SERVICES	1,106.13
MAIL	207.14
MESSENGER	808.50
OVERTIME	1,531.62
SERVICE OF PROCESS FEES	1,160.00
DATABASE SEARCH	8,603.55
COMPUTERIZED COURT DOCKET SEARCH	68.27

TOTAL DISBURSEMENTS.....\$ 15,848.94

TOTAL BALANCE DUE FOR THIS PERIOD.....\$ 79,828.44

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 10/31/05  
INVOICE # 131946

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATIO  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF SEPTEMBER 30, 2005

DISBURSEMENTS:	VALUE
OVERTIME	86.56
COURT REPORTER SERVICES	38.25
SERVICE OF PROCESS FEES	135.00
STORAGE COSTS	57.75
DATABASE SEARCH	327.56
COMPUTERIZED COURT DOCKET SEARCH	49.73
TOTAL DISBURSEMENTS.....\$	694.85
TOTAL BALANCE DUE FOR THIS PERIOD.....\$	694.85

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 11/09/05  
INVOICE # 132351

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATIC  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF OCTOBER 31, 2005

	VALUE
DISBURSEMENTS:	
MESSENGER	17.50
COMPUTERIZED COURT DOCKET SEARCH	29.10
TOTAL DISBURSEMENTS.....\$	46.60
TOTAL BALANCE DUE FOR THIS PERIOD.....\$	46.60

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*



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THE TRUMP ORGANIZATION  
TRUMP BRITANNIA LIFE MANCE LLC V. COLUMBUS

DATE: 01/27/06  
INVOICE # 134419

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATION  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF DECEMBER 31, 2005

	ATTORNEY	HOURS	VALUE
11/08/05	LB	0.40	50.00
11/08/05	RRH	6.60	220.00
11/08/05	YDS	1.00	475.00
11/08/05	MEF	1.90	902.50
11/09/05	RRH	1.20	330.00
11/10/05	RRH	1.90	522.50
11/11/05	MEF	2.20	1,045.00
11/11/05	YDS	0.50	235.00
11/11/05	RRH	2.50	687.50
11/11/05	LM	0.50	82.50
11/14/05	MEF	2.20	1,045.00
11/14/05	YDS	0.20	95.00



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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 01/27/06  
INVOICE #: 13449

FOR PROFESSIONAL SERVICES RENDERED AS OF DECEMBER 31, 2005

	ATTORNEY	HOURS	VALUE
(FINANCIAL STATEMENTS)			
11/18/05 MEET WITH D. CARBONE, A. NIERO AND J. WESTHAUER, REVIEW FINANCIALS; DISCUSS WITH M. FLYNN	YDS	1.50	712.50
11/18/05 [REDACTED]	ERH	9.80	2,695.00
11/18/05 [REDACTED]	LM	1.60	264.00
11/21/05 [REDACTED]	LM	4.60	759.00
11/21/05 [REDACTED]	MEF	0.70	332.50
11/21/05 TRAVEL TO NY FROM SDNY TO RETRIEVE ATTORNEY SCHEDULES TO BRIEF	SPM	1.30	156.00
11/21/05 [REDACTED]	ERH	7.80	2,145.00
11/22/05 [REDACTED]	MEF	2.00	4,330.00
11/22/05 [REDACTED]	ERH	12.20	3,355.00
11/22/05 [REDACTED]	LB	0.70	62.50
11/22/05 [REDACTED]	LM	0.60	99.00
11/22/05 COMPLETE DOCUMENTS FOR ATTORNEY TO REVIEW	SPM	1.00	100.00
11/22/05 TRAVEL TO NY FROM SDNY TO DELIVER PAPERS TO COUNSEL FOR REVIEW	YDS	0.50	1,107.50
11/23/05 [REDACTED]	ERH	2.90	797.50
11/23/05 [REDACTED]	LB	0.40	50.00

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 01/27/06  
INVOICE #: 134219

FOR PROFESSIONAL SERVICES RENDERED AS OF DECEMBER 31, 2005

	ATTORNEY	HOURS	VALUE
11/23/05	LM	2.70	445.50
11/23/05	MEF	6.50	3,277.50
11/23/05	YDS	1.50	855.00
11/28/05	LE	0.10	12.50
11/29/05	MEF	3.50	1,805.00
11/29/05	YDS	0.20	95.00
11/30/05	LE	0.20	25.00
11/30/05	LM	0.50	132.00
11/30/05	MEF	2.20	1,045.00
11/30/05	YDS	1.50	712.50
11/30/05	EPH	0.50	220.00
12/01/05	MEF	3.60	1,710.00

[REDACTED]

DOCKING AND CASE MANAGEMENT

NEGOTIATING SETTLEMENT W/ SZ T/C

W/COURT W/ SZ

CALLS FROM S. ZINNER AND D. GOLDSTEIN

MTC W/ ADS RE

W/ CARBON RE

T/C W/ S. ZINNER RE POST VERDICT MOTIONS LIBERTY LIABILITY ISSUES; T/C W/ YDS RE

CORRESP W/ CARBON RE ADD

FINANCIAL DUE DILIGENCE; T/C W/ E HOLTZ RE

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 01/27/06  
INVOICE # 134419

FOR PROFESSIONAL SERVICES RENDERED AS OF DECEMBER 31, 2005

	ATTORNEY	HOURS	VALUE
12/01/05	JTM	0.80	400.00
12/01/05	ERH	5.50	1,512.50
12/01/05	MDJ	2.20	1,024.00
12/01/05	RES RESEARCHER	0.50	227.50
12/01/05	YDS	1.30	416.00
12/02/05	RES RESEARCHER	1.20	204.00
12/02/05	MW	0.70	350.00
12/02/05	JTM	0.50	237.50
12/02/05	MEF	0.20	95.00
12/02/05	YDS	6.60	1,815.00
12/05/05	ERH	0.10	12.50
12/05/05	ERH	2.80	770.00
12/06/05	YDS	0.20	95.00
12/07/05	ERH	2.50	687.50
12/07/05	YDS	0.10	47.50
12/08/05	MEF	0.20	95.00
12/12/05	LB	0.20	25.00
12/14/05	MEF	4.40	2,090.00
12/14/05	SPM	0.40	18.00
12/15/05	ERH	2.80	770.00
12/15/05	LM	1.60	264.00
12/15/05	MEF	4.30	2,042.50

MFC W/YDS



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THE TRUMP ORGANIZATION  
TRUMP TRIARCHER MANOR LLC V. COLUMBUS

DATE: 01/27/05  
INVOICE # 134419

OUR PROFESSIONAL SERVICES RENDERED AS OF DECEMBER 31, 2005

	ATTORNEY	HOURS	VALUE
12/29/05	MEP	4.50	2,137.50
12/29/05	VDS	1.50	712.50
12/30/05	LM	0.80	139.00
12/30/05	MEP	7.80	3,705.00
12/30/05	SPM	0.30	46.00

TOTAL FEES SERVICES \$ 73,240.00

DISBURSEMENTS:

MEALS	35.00
TRAVEL	2.00
TELEPHONE/FACSIMILE	28.50
DOCUMENT REPRODUCTION SERVICES	128.88
MAIL	17.50
MESSENGER	144.97
OVERTIME	139.85
STORAGE COSTS	1,410.30
DATABASE SEARCH	28.00
COMPUTERIZED COURT DOCKET SEARCH	

TOTAL DISBURSEMENTS \$ 3,000.00

TOTAL BALANCE DUE FOR THIS PERIOD \$ 77,020.00

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

# MorrisonCohen LLP

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0001

THE TRUMP ORGANIZATION  
TRUMP BRYARCLIFF MANOR LLC V. COLUMBUS

DATE: 02/09/06  
INVOICE # 134865

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATION  
NUMBER 13-3205294

FOR PROFESSIONAL SERVICES RENDERED AS OF JANUARY 31, 2006

	ATTORNEY	HOURS	VALUE
01/03/06	LE	0.10	12.50
01/03/06	MEF	5.60	2,800.00
01/04/06	MEF	5.40	2,700.00
01/05/06	MEF	6.20	3,100.00
01/06/06	MEF	6.70	3,350.00
01/06/06	SM	1.70	1,252.50
01/06/06	LE	0.10	12.50
01/08/06	MEF	5.30	2,650.00
01/09/06	MEF	5.80	2,900.00
01/09/06	SM	4.60	1,265.00
01/09/06	YDS	1.00	475.00
01/10/06	YDS	2.10	997.50



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THE TRUMP ORGANIZATION  
TRUMP BRITAINCLIFF MANOR LLC V. COLUMBUS

DATE: 02/09/06  
INVOICE # 134865

FOR PROFESSIONAL SERVICES RENDERED AS OF JANUARY 31, 2006

		ATTORNEY	HOURS	VALUE
01/10/06	CONTINUE RESEARCH RE: [REDACTED]	SM	3.10	852.50
01/10/06	[REDACTED]	LM	2.40	432.00
01/10/06	T/C W/ YDS RE: [REDACTED]	MEF	6.30	3,150.00
01/10/06	CASE MANAGEMENT	LB	0.20	25.00
01/11/06	TELEPHONE CALL WITH D. TRUMP AND M. LOKEY RE: [REDACTED]	YDS	3.10	1,472.50
01/11/06	REVISE AS PER YDS [REDACTED]	MEF	4.80	2,400.00
01/11/06	COMPLETE RESEARCH [REDACTED]	SM	2.60	715.00
01/11/06	CITE CHECK MEMORANDUM OF LAW, PREPARE TABLE OF AUTHORITIES FOR MEMORANDUMS OF LAW, COMPILE DOCUMENTS FOR SERVICE AND FILING	LM	2.20	396.00
01/12/06	REVIEWED CASE INFO [REDACTED]	LB	0.10	12.50
01/13/06	[REDACTED]	MEF	0.20	100.00
01/17/06	FINALIZE MEMO TO N. NELSON RE: [REDACTED]	YDS	1.00	475.00
01/17/06	DOCKETING AND CASE MANAGEMENT, UPDATED CALENDAR DATES [REDACTED]	LB	0.20	25.00
01/17/06	[REDACTED]	LM	0.20	35.00
01/19/06	CASE MANAGEMENT	LB	0.10	12.50
01/19/06	RW REPLY PAPERS FROM LIBERTY AND COLUMBUS AND RW [REDACTED]	MEF	2.20	1,100.00
01/20/06	REVIEW REPLY PAPERS OF COLUMBUS AND LIBERTY MUTUAL ON MOTIONS TO CORRECT VERDICT AND FOR ATTORNEY'S FEES	YDS	0.30	142.50
01/23/06	DOCKETING AND CASE MANAGEMENT	LB	0.20	25.00
01/23/06	ORGANIZE AND PREPARE CASE FILE	LM	0.60	108.00

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THE TRUMP ORGANIZATION  
TRUMP BRYARCLIFF MANOR LLC V. COLUMBUS

DATE: 02/09/06  
INVOICE # 134865

FOR PROFESSIONAL SERVICES RENDERED AS OF JANUARY 31, 2006

	ATTORNEY	HOURS	VALUE
01/23/06	MEF	1.10	550.00
01/24/06	MEF	0.50	250.00
01/25/06	LE	0.10	10.00
01/26/06	LE	0.10	10.00

TOTAL FEES SERVICES ..... \$ 33,850.00

DISBURSEMENTS:	VALUE
MEALS	17.50
TRAVEL	10.00
DOCUMENT REPRODUCTION SERVICES	50.00
MAIL	15.00
OVERTIME	61.70
SERVICE OF PROCESS FEES	20.00
COURT FILING & MISC FEES	2,001.27
DATABASE SEARCH	35.00
COMPUTERIZED COURT DOCKET SEARCH	

TOTAL DISBURSEMENTS ..... \$ 2,460.00

TOTAL BALANCE DUE FOR THIS PERIOD ..... \$ 37,319.56

\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*

# Morrison Cohen LLP

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THE TRUMP ORGANIZATION  
TRUMP BRYARCLIFF MANOR LLC V. COLUMBUS

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

DATE: 03/08/06  
INVOICE # 135741

TAXPAYER IDENTIFICATION  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF FEBRUARY 28, 2006

		ATTORNEY	HOURS	VALUE
02/06/06	T/O W/ST. ZINNER & COURT RE; SETTLEMENT CONFERENCE; MTC W/YDS	MEF	0.90	450.00
02/06/06	CASE MANAGEMENT	LB	0.10	12.50
02/08/06	CALENDAR CONFERENCE DATE	LB	0.10	12.50
02/08/06	MEET WITH M. FLYNN RE [REDACTED]	YDS	0.50	237.50
	[REDACTED] CALL W/HELD; TRUMP RE			
02/15/06	RW LTR FROM LIBERTY; E-MAIL YDS	MEF	0.30	150.00
02/16/06	[REDACTED] FOR HEARING	LM	0.10	12.50
02/16/06	[REDACTED]	YDS	0.50	237.50
	[REDACTED]			
02/17/06	[REDACTED] CONFERENCE W/COURT	MEF	3.20	1,600.00
02/17/06	IN COURT APPEARANCE FOR COURT ORDERED SETTLEMENT CONFERENCE	YDS	2.50	1,187.50
02/21/06	PREPARE AND TRANSMIT MEMO TO CLIENT RE [REDACTED]	YDS	1.10	522.50
	[REDACTED] FOLLOW UP CALL WITH D. TRUMP AND M. LOKEY; CALL TO M. LOKEY; CALL TO COURT; CALLS TO S. ZINNER; CALL WITH COURT RE SETTLEMENT POSTURE.			
02/23/06	CONFERENCE CALL WITH JUDGE RUDOLF'S SECRETARY; CALL WITH S. ZINNER; CALL WITH COURT	YDS	0.30	142.50
TOTAL FEES SERVICES				4,570.50

# Morrison Cohen LLP

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THE TRUMP ORGANIZATION  
TRUMP BPIARCLIFF MANOR LLC V. COLUMBUS

DATE: 03/08/06  
INVOICE # 135741

FOR PROFESSIONAL SERVICES RENDERED AS OF FEBRUARY 28, 2006

DISBURSEMENTS:	VALUE
TRAVEL	42.00
TELEPHONE/FACSIMILE	24.04
DOCUMENT REPRODUCTION SERVICES	59.20
MAIL	6.63
SERVICE OF PROCESS FEES	197.50
STORAGE COSTS	60.50
DATABASE SEARCH	515.23
COMPUTERIZED COURT DOCKET SEARCH	28.31

TOTAL DISBURSEMENTS ..... \$ 5,093.04  
TOTAL BALANCE DUE FOR THIS PERIOD ..... \$ 10,495.54

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

# MorrisonCohen LLP

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BREATHLIFF MANOR LLC V. COLUMBUS

DATE: 04/14/06  
INVOICE # 136793

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATION  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF MARCH 31, 2006

	ATTORNEY	HOURS	VALUE
03/13/06 EMAIL WITH N. NELSON RE [REDACTED]	YDS	0.10	47.50
03/14/06 [REDACTED] WITH CLIENT N. NELSON	YDS	0.20	95.00
03/15/06 T/CS W/COURT AND S. ZINNER RE: STATUS/MOTIONS, ETC.; REPORT TO YDS	MEF	0.10	200.00
03/20/06 REVIEWED CASE INFO FROM COURT SYSTEM	LS	0.10	12.50

TOTAL FEES SERVICES \$ 355.00

DISBURSEMENTS:

	VALUE
TRAVEL	21.00
TELEPHONE/FACSIMILE	4.01
MAIL	55.55
COMPUTERIZED COURT DOCKET SEARCH	29.89

TOTAL DISBURSEMENTS \$ 110.45

TOTAL BALANCE DUE FOR THIS PERIOD \$ 465.45

\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*



# MorrisonCohen<sup>LLP</sup>

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/16/06  
INVOICE # 138946

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICAT:  
NUMBER 13-320599.

FOR PROFESSIONAL SERVICES RENDERED AS OF MAY 31, 2006

	ATTORNEY	HOURS	VALUE
05/01/06 MEET WITH MARY FLINN AND LOCATE DOCUMENTS AS PER HER REQUEST.	LP	1.00	140.00
05/25/06 REVIEW JUDGMENT AND ORDERS RE: POST TRIAL MOTIONS AND PROFESSIONAL FEES APPLICATION; EMAIL UPDATE TO CLIENT.	YDS	0.40	190.00
05/26/06 DOCKETING AND CASE MANAGEMENT; CALENDAR DATES	LB	0.20	25.00
05/26/06 CALL FROM CLERK RE: LIBERTY MUTUAL ADDRESS; ARRANGE FOR INFORMATION TO COURT AND TO PREPARE FOR COURT SUBMISSION.	YDS	0.40	190.00
05/30/06 COMPILE DOCUMENTS FOR ATTORNEY REVIEW.	LM	0.20	36.00
05/30/06 REVIEW EMAIL AND TELEPHONE RE JUDGMENT.	SPM	0.10	12.00
05/31/06 MEETING WITH ETHAN HOLTZ TO REVEIW FEE APPLICATION AND FILING OF JUDGMENT; EMAIL TO CLIENT RE: <del>CONFIDENTIAL INFORMATION</del> <del>CONFIDENTIAL INFORMATION</del> <del>CONFIDENTIAL INFORMATION</del>	YDS	1.30	617.50
05/31/06 MTG W YDS RE FEE APPLICATION	ERH	0.80	228.00

TOTAL FEES SERVICES.....\$ 1,438.50

DISBURSEMENTS:	VALUE
TELEPHONE/FACSIMILE	0.20
DOCUMENT REPRODUCTION SERVICES	52.50
MAIL	11.55
COMPUTERIZED COURT DOCKET SEARCH	8.96

# MorrisonCohen LLP

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 06/16/06  
INVOICE # 138946

FOR PROFESSIONAL SERVICES RENDERED AS OF MAY 31, 2006

DISBURSEMENTS:

VALUE

TOTAL DISBURSEMENTS.....\$ 73.21

TOTAL BALANCE DUE FOR THIS PERIOD.....\$ 1,511.71

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*



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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

DATE: 07/25/06  
INVOICE # 140045

TAXPAYER IDENTIFICATIO  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 30, 2006

	ATTORNEY	HOURS	VALUE
06/01/06	LM	2.30	414.00
06/01/06	LB	0.20	25.00
06/06/06	MEF	0.30	150.00
06/07/06	MEF	0.10	50.00
06/13/06	ERH	0.80	228.00
06/14/06	YDS	1.20	570.00
06/14/06	YDS	0.10	47.50
06/14/06	LB	0.40	50.00
06/15/06	JL	0.50	257.50
06/15/06	YDS	2.00	950.00
06/15/06	LB	0.20	25.00
06/16/06	LB	0.20	25.00
06/16/06	MEF	0.60	300.00
06/16/06	YDS	3.00	1,425.00
06/19/06	LB	0.40	50.00

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THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 07/25/06  
INVOICE # 140045

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 30, 2006

		ATTORNEY	HOURS	VALUE
06/19/06	WORK ON FEE APPLICATION	MEF	1.70	850.00
06/20/06	DRAFTING FEE APPLICATION TO INCLUDE [REDACTED]	MEF	4.90	2,450.00
06/20/06	[REDACTED] MEET WITH M. FLYNN RE: [REDACTED]	YDS	0.40	190.00
06/20/06	[REDACTED] REVISE FEE APP/DRAFT INSERT/TALLY FEES	ERH	3.50	997.50
06/20/06	PREPARED AND SERVED NOTICES OF ENTRY; ARRANGED FOR FILING IN WESTCHESTER SUPREME	LB	0.60	75.00
06/21/06	REVISE FEE APP	ERH	1.30	370.50
06/21/06	REVIEW AND COMMENT ON REVISED FEE APPLICATION.	YDS	1.00	475.00
06/21/06	PREPARE EXHIBITS; COMPILE DOCUMENTS FOR ATTORNEY REVIEW.	LM	0.90	162.00
06/21/06	FINALIZING FEE APPLICATION; CONF W//YDS RE: [REDACTED]	MEF	2.80	1,400.00
06/22/06	REVIEW AND COMMENT ON DRAFT FEE APPLICATION.	YDS	0.30	142.50
06/22/06	REVISE FEE APPLICATION	ERH	2.60	741.00
06/23/06	REVISE FEE APPLICATION	ERH	3.20	912.00
06/23/06	DOCKETING AND CASE MANAGEMENT; CALENDAR DATES	LB	0.30	37.50
06/23/06	FOLLOW-UP ON SUPPLEMENTAL FEE APPLICATION	MEF	0.50	250.00
06/23/06	PREPARE EXHIBITS, RE: ATTORNEY FEES APPLICATION.	LM	0.50	90.00
06/23/06	REVIEW REVISED FEE APPLICATION AND PROVIDE COMMENTS.	YDS	0.20	95.00
06/26/06	ATTN TO FILING OF FEE APPLICATION	ERH	2.80	798.00
06/26/06	REVISE AND FINALIZE FEE APPLICATION; REVIEW LETTER TO JUDGE RUDOLPH.	YDS	0.50	237.50
06/26/06	PREPARED AFFIDAVIT OF SERVICE; ARRANGED FOR ATTORNEY FEE APP TO BE FILED IN WESTCHESTER SUPREME	LB	0.30	37.50
06/26/06	FILE SUPPLEMENTAL AFFIRMATION WITH COURT AND SERVE SAME ON ZINNER OFFICE; PREPARE SAME FOR FILING/SERVICE.	SPM	3.50	420.00
06/26/06	CITE CHECK SCHARF AFFIRMATION; ORGANIZE FOR FILING AND SERVICE	LM	1.40	252.00

# MorrisonCohen<sup>LLP</sup>

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 07/25/06  
INVOICE # 140045

FOR PROFESSIONAL SERVICES RENDERED AS OF JUNE 30, 2006

	ATTORNEY	HOURS	VALUE
06/27/06	OF PAPERS, RE: ATTORNEYS FEE APPLICATION. DOCKETING; ORGANIZE DOCUMENTS RE SAME.	SPM 0.20	24.00
TOTAL FEES SERVICES.....\$			15,574.00

## DISBURSEMENTS:

	VALUE
DOCUMENT REPRODUCTION SERVICES	1,137.02
MAIL	14.67
COURT REPORTER SERVICES	65.00
DATABASE SEARCH	717.71
COMPUTERIZED COURT DOCKET SEARCH	9.46
TOTAL DISBURSEMENTS.....\$	1,943.86
TOTAL BALANCE DUE FOR THIS PERIOD.....\$	17,517.86

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

# MorrisonCohen LLP

015036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 08/10/06  
INVOICE # 140620

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICAT  
NUMBER 13-320599

FOR PROFESSIONAL SERVICES RENDERED AS OF JULY 31, 2006

	ATTORNEY	HOURS	VALUE
07/18/06 RW NOTICES OF APPEAL; E-MAIL W/YDS RE: [REDACTED]	MEF	0.10	50.00
07/18/06 DOCKETING AND CASE MANAGEMENT; CALENDAR DATES	LB	0.20	25.00
07/19/06 REVIEWED CPLR RE X-APPEALS; EMAIL MF AND DS RE SAME; DOCKETING AND CASE MANAGEMENT; CALENDAR DATES	LB	0.40	50.00
07/19/06 E-MAILS W/YDS RE: [REDACTED]	MEF	0.10	50.00
07/21/06 REVIEWED COURT PAPERS FILE; SCANNED APPEAL DOCS TO EH	LB	0.30	37.50
07/22/06 DRAFT NOTICE OF CROSS APPEAL	ERH	0.50	142.50
07/24/06 REVIEW, COMMENT, REVISE AND APPROVE NOTICE OF APPEAL AND RADI FORM.	YDS	0.30	142.50
07/24/06 PREPARED AND SERVED NOTICE OF ENTRY	LB	0.50	62.50
07/24/06 REVISE NOTICE OF CROSS-APPEAL/DRAFT RATI	ERH	1.80	513.00
07/24/06 REVIEW OF NOTICE OF APPEAL AND RELATED 2ND DEPT DOCUMENTS	EG	0.20	90.00
07/25/06 COMMENT ON NOTICE OF CROSS APPEAL; T/C W/YDS/EH	MEF	0.20	100.00
07/25/06 PREPARED AND SERVED NOTICE OF CROSS-APPEAL; ARRANGED FOR FILING IN WESTCHESTER SUPREME	LB	0.60	75.00
07/27/06 REVIEWED RULES FOR X-APPEALS; DOCKETING AND CASE MANAGEMENT; CALENDAR DATES	LB	0.30	37.50

TOTAL FEES SERVICES.....\$

1,375.50

# MorrisonCohenLLP

016036 THE TRUMP ORGANIZATION  
0001 TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 08/10/06  
INVOICE # 140620

FOR PROFESSIONAL SERVICES RENDERED AS OF JULY 31, 2006

DISBURSEMENTS:	VALUE
MEALS	40.58
TRAVEL	28.00
TELEPHONE/FACSIMILE	1.40
DOCUMENT REPRODUCTION SERVICES	47.40
MAIL	9.65
SERVICE OF PROCESS FEES	185.00
COURT FILING & MISC FEES	65.00
COMPUTERIZED COURT DOCKET SEARCH	9.53

TOTAL DISBURSEMENTS.....\$ 386.56

TOTAL BALANCE DUE FOR THIS PERIOD.....\$ 1,762.06

\*\*\*\*\* THIS BILL IS FOR CURRENT SERVICES ONLY \*\*\*\*\*

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016036 THE TRUMP ORGANIZATION  
0001 TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 10/16/06  
INVOICE # 142529

THE TRUMP ORGANIZATION  
725 FIFTH AVENUE  
NEW YORK, NY 10022

TAXPAYER IDENTIFICATION  
NUMBER 13-3205994

FOR PROFESSIONAL SERVICES RENDERED AS OF SEPTEMBER 30, 2006

	ATTORNEY	HOURS	VALUE	
08/01/06	DOCKETING AND CASE MANAGEMENT	LB	0.10	12.50
08/09/06	COPIED AND DISTRIBUTED DOCUMENTS TO ATTORNEYS; REVIEWED CASE FILES; SENT PDF'S OF NOTICES OF APPEAL; OPENED CASE IN MA3000; DOCKETING AND CASE MANAGEMENT	LB	0.40	50.00
08/11/06	REVIEW FILES RE NOTICES OF APPEAL	ERH	0.80	228.00
08/22/06	DOCKETING AND CASE MANAGEMENT; CALENDAR DATES	LB	0.20	25.00
08/22/06	T/C W/ML RE: [REDACTED]	MEF	0.30	150.00
08/22/06	REVIEW FILES RE LIBERTY APPEAL BOND	ERH	0.90	256.50
08/23/06	DOCKETING AND CASE MANAGEMENT	LB	0.10	12.50
09/13/06	REVIEWED JUDGMENT; COPIED AND DISTRIBUTED DOCUMENTS TO ATTORNEYS; DOCKETING AND CASE MANAGEMENT	LB	0.30	37.50
09/14/06	REVIEW DECISION OF COURT GRANTING ATTNY'S FEES/E-MAILS W/ YDS/MEF/DRAFT NOTICE OF ENTRY/SUPPLEMENTAL JUDGMENT/NOTICE OF SETTLEMENT	ERH	3.00	855.00
09/14/06	REVIEW ATTORNEYS FEE DECISIONS; CALLS FROM PRESS RE SAME	YDS	1.00	475.00
09/15/06	REVIEW FILE/DRAFT LETTER TO J RUDOLPH	ERH	1.00	285.00
09/19/06	REVIEW FILE/RESEARCH ON [REDACTED]	ERH	0.80	228.00
09/19/06	PREPARE LETTER TO JUDGE RUDOLPH AND FAX TO ZINNER; TELEPHONE AND EMAIL RE SAME.	SPM	0.20	24.00
09/19/06	PREPARED NOTICE OF ENTRY; SERVED AND ARRANGED FOR FILING IN WESTCHESTER SUPREME; PREPARED	LB	0.60	75.00

# MorrisonCohen LLP

016036  
0001

THE TRUMP ORGANIZATION  
TRUMP BRIARCLIFF MANOR LLC V. COLUMBUS

DATE: 10/16/06  
INVOICE # 142529

FOR PROFESSIONAL SERVICES RENDERED AS OF SEPTEMBER 30, 2006

	ATTORNEY	HOURS	VALUE
09/19/06	YDS	0.20	95.00
LETTER AND SENT TO JUDGE RUDOLPH REVIEW AND REVISE LETTER TO JUDGE RUDOLPH RE ADDITIONAL \$160,000 FOR POST TRIAL MOTIONS AND FEE SUBMISSION			
09/19/06	ERH	1.50	427.50
REVISE LETTER TO J RUDOLPH RE ATTORNEY FEE AWARD			
09/19/06	MEF	0.10	52.50
REVISE LTR TO JUDGE			
09/20/06	DAP	1.00	460.00
RECEIVE/REVIEW LETTER SUBSTITUTING COUNSEL; PREPARE NOTICE OF CHARGING LIEN; CONFS. MEF AND YDS			
09/20/06	LB	0.10	12.50
DOCKETING AND CASE MANAGEMENT			
09/21/06	LB	0.40	50.00
REVIEWED CHARGING LIEN; ARRANGED FOR FILING IN WESTCHESTER SUPREME; DOCKETING AND CASE MANAGEMENT; CALENDAR DATES			
09/25/06	LB	0.10	12.50
DOCKETING AND CASE MANAGEMENT			
TOTAL FEES SERVICES.....\$			3,824.00

DISBURSEMENTS:

	VALUE
TRAVEL	184.62
TELEPHONE/FACSIMILE	3.00
DOCUMENT REPRODUCTION SERVICES	30.60
MAIL	3.48
SERVICE OF PROCESS FEES	320.00
SEARCH FEES	224.34
DATABASE SEARCH	204.12
COMPUTERIZED COURT DOCKET SEARCH	10.85
TOTAL DISBURSEMENTS.....\$	981.01
TOTAL BALANCE DUE FOR THIS PERIOD.....\$	4,805.01

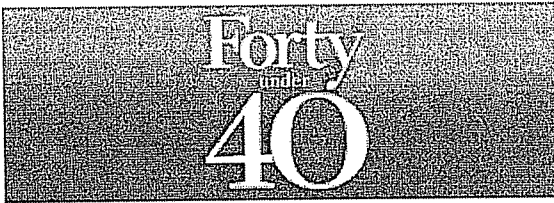
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**EXHIBIT C**



Crain's 40 Under 40 Alumni

2008 2007 2006 2005 2004 2003  
2002 2001 2000 [more...](#)



**Y. David Scharf, 35**  
**Morrison Cohen Singer & Weinstein**  
Partner

Where is Y. David Scharf now?

40 Under 40 > 2004 > Y. David Scharf

Attorney David Scharf may be the only person in the country to have gotten free wake-up calls from Donald Trump. A client since 2001, Mr. Trump frequently called the attorney at 5 a.m. during his 16-month court battle over the fate of the General Motors Building. Mr. Trump isn't the only powerful New Yorker who relies upon Mr. Scharf's legal acumen. Carl Icahn, Ian Schrager, Howard Lutnick, Leona Helmsley and Stewart Rahr all call upon the Morrison Cohen partner to handle their multimillion-dollar litigation. "Because of who they are, these clients demand victory," he says. "These clients know that I win." Mr. Scharf won a dismissal for a \$100 million federal securities lawsuit against financier David Pullman and garnered a multimillion-dollar settlement for Mr. Icahn in a war over a tender offer for three Shelbourne Management real estate investment trusts. He is now helping Mr. Schrager fight off a hostile takeover of the Empire Hotel. The attorney says that he is obsessed with setting and meeting goals—an attitude his clients demand. He is rarely in his office. Rather, he spends most of his time crafting legal strategy at the offices or homes of his clients. Despite his own goal-driven nature, he was recently taken aback when he encountered an acquaintance he hadn't seen since the fifth grade. Mr. Scharf recalls that the classmate asked upon recognizing him, "So, did you ever become a lawyer?"

-Tommy Fernandez

Email To A friend



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**EXHIBIT D**

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# Chaptzem Blog!

## Interfaith Weddings

Rabbi L. Siegel, D.D. Interfaith weddings  
NYC & long island



## Avalon Morningside Park

Spacious 2 Bedroom Apartments Near the  
Upper West Side. Now Leasing.

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Thursday, July 01, 2004

## Orthodox Community growing in Manhattan's West Side

In a sign of the growing reach of the Orthodox community in New York

City over the last decade, the Jewish character of the Upper West

Side — often perceived as the heart of progressive Judaism — is being

recast by an Orthodox boom.

Since 1990, according to figures not yet released from the Jewish

Community Study of New York 2002, the number of Orthodox households

on the Upper West Side shot up by 66 percent. In New York City overall, the Orthodox population rose from 13 percent in 1990 to

19 percent in 2001, according to the UJA-Federation-sponsored study.

The overall Jewish population on the Upper West Side dropped by 5,000

in the last decade, to 71,800, but the percentage of Orthodox increased significantly, from 8 percent in 1990 to 14 percent in 2001. There are now 5,194 Orthodox households on the Upper West Side

among the 37,100 Jewish households.

And while it is not yet clear how many of those households are "black

hat" and how many are Modern Orthodox, anecdotal evidence suggests

that the black hat numbers are growing, though not in the traditional sense of the term.

## Links



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The kind of so-called Modern Orthodoxy that once was prevalent on the Upper West Side is gone, by and large, replaced instead with a more rigid stream, according to Samuel Heilman, a Queens College sociologist and Jewish studies professor who has written extensively on the fervently Orthodox community.

"There has been a move to the right in Orthodoxy, there's no question about it," Heilman said. "The West Side may be one of the last strongholds of the young Modern Orthodox person. What we're seeing here is that even in this stronghold [of Modern Orthodoxy], you already have evidence of some haredization.

"The difference, and it is a critical one, is that while it may be cool to be haredi in Borough Park, it's still not cool to be haredi on the Upper West Side."

The distinction between Modern Orthodox and black hat, at least on the Upper West Side, may no longer even be valid as lines blur in a post-denominational age, observers say. The Orthodox population of the Upper West Side, they agree, is largely fervently observant, yet fundamentally different from more traditional, insular Orthodox communities such as Brooklyn's Borough Park or Williamsburg in its willingness to embrace cultural diversity, pluralism and openness.

"The main difference between the Orthodox Jews on the Upper West Side and the Borough Park crowd is that the Upper West Siders would be more reluctant to call themselves black-hatters," Heilman said.

"What the Orthodox on the Upper West Side want is to be both in and of America, and in that sense they're different from the people who tend to live in Borough Park ... and want an insular enclave," he said.

Manhattan, Heilman adds, is precisely the place where an Orthodox Jew can have a foot in both the Orthodox and the secular world.



**Rabbi Jay Weinstein**  
Simchat HaLev - Spiritual  
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[www.simchathalev.org](http://www.simchathalev.org)

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& welcoming  
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## Straddling Two Worlds

Y. David Scharf, 36, clearly straddles two worlds. His colleagues, he said, joke that whoever saw him in the office, wearing his power

suit, would never know he was Jewish, and whoever saw him on his way to shul, wearing his black hat, would never imagine he was one of the city's more prominent attorneys.

Recently named by Crain's, a leading business publication, as one of the 40 most influential young New Yorkers, he is an attorney to such high-profile clients as Donald Trump and Leona Helmsley. Scharf is also, he said, a strictly observant Orthodox Jew. In 1990, when he and his wife were married, the two, then living in Queens, debated which neighborhood to choose as their future home.

Scharf's wife suggested Flatbush; a native of the Upper West Side, she had grown up in the neighborhood when its Orthodox institutions were few and less than dominant. She said she wanted her children to grow up in an Orthodox environment.

Eventually, however, the prospect of a short commute and the slump in real estate prices in Manhattan triumphed, and the couple settled on the Upper West Side.

"I would disagree that being Orthodox means you're self-contained," Scharf said. "I would say that I'm a professional, I'm out in the world, I represent high-profile clients, I'm in court, I attend functions — both Jewish and non-Jewish ones — and I run in various circles. Living on the West Side mirrors my professional life; it is a confluence of everything."

As an example, he offered a hypothetical weekend.

"You could attend kiddush in one shtiebel, then a kiddush in another, then run off to The Jewish Center synagogue to be with more Modern



### Interfaith Weddings

Rabbi L Siegel, D.D.  
Interfaith Co-Officiate NY  
Long Island - 1985.  
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### Rabbi Jay Weinstein

Simchat HaLev - Spiritual  
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[www.simchathalev.org](http://www.simchathalev.org)

### Judaism for Children

Connect Jewish After  
School Hebrew, History  
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## Archives

04/01/2004 - 05/01/2004  
05/01/2004 - 06/01/2004  
06/01/2004 - 07/01/2004  
07/01/2004 - 08/01/2004  
08/01/2004 - 09/01/2004  
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01/01/2005 - 02/01/2005  
02/01/2005 - 03/01/2005  
03/01/2005 - 04/01/2005

Orthodox, and then to the JCC for a cultural event that may or may not have Judaism interspersed into it," Scharf said. "Then it's off to Lincoln Center for a charity event, a symphony or an opera. You can do all that within 36 hours."

This, he said, is particularly appealing in regard to his four children.

"I think there's an opportunity on the Upper West Side to expose your children to all walks of life," he said. "They experience everything, from different streams of Orthodoxy, such as chasidim, black-hatters and Modern Orthodox, to non-Orthodox Jews and secular people. I personally think that being in an atmosphere such as this breeds more understanding, breeds a higher level of tolerance."

The emphasis Scharf places on children is a prominent theme — crucial to the understanding of the shift in demographics. The influx of Orthodox Jews to the Upper West Side, said Rabbi Alan Schwartz of the Ohab Zedek synagogue, one of the neighborhood's most prominent and rapidly growing Orthodox congregations, began a decade or so ago. At that time, the neighborhood mainly attracted singles who wanted to avoid long commutes to their offices while still enjoying a modicum of Jewish institutions. Those singles, however, soon wed and started families.

As a result, Rabbi Schwartz said, the Orthodox contingence grew exponentially.

"In the 16 years I've been here," he said, "the congregation has grown from approximately 140 families to over 800 families."

The high rent is often prohibitive to growing families, Rabbi Schwartz added, and the birth of the third or fourth child forces many to move to the suburbs, but many still choose to stay in the neighborhood.

One such resident is Richard, who declined to provide his last

04/01/2005 - 05/01/2005  
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name.

He is a 41-year-old banker, and he moved to West 88th Street with his wife nine years ago from Kew Gardens Hills, an Orthodox neighborhood in Queens. Back then they had two children; now they have four.

While his apartment is getting crowded, Richard said, he does not contemplate leaving.

"I have a lot of friends who moved to Riverdale or somewhere like that," he said, "but I don't think I want to do that. I want to stay here. Here you have a shul and a movie theater on the same block, both within walking distance, one for Shabbat and one for Sunday."

Michael Landau, a real estate developer and the chairman of the

Council of Orthodox Jewish Organizations of the West Side, an umbrella group representing 27 organizations, said the plethora of Jewish institutions — from educational ones such as Yeshiva Ketana on 89th Street and Riverside Drive or Manhattan Day School on West 75th Street, to synagogues such as Congregation Ohab Zedek on 95th Street or The Jewish Center on 86th Street — are a major draw.

Landau, born in France and raised in England, moved to New York 17 years ago and chose to settle on the Upper West Side "because it is a great community offering everything I need as someone who is, by your definition, a black hat," he said.

"When I moved into the neighborhood, Jewish Orthodox institutions existed, but they were not as strong as they are now. Still, the facilities were there in order for strictly Orthodox Jews to be able to live and thrive. It's a much more exciting place to live in; it's fast-paced, you're in the middle of New York City, but you still have the advantage of living a fully Orthodox life," Landau said.

The Upper West Side, he said, "is reflecting a general movement in

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the Orthodox world, of people coming back to their roots and looking for better ways to express their Orthodox religious feelings in as comfortable a way as possible."

"All the shtiebels on the Upper West Side have grown," Landau said. "In the Boyaner shtiebel, on 82nd Street and West End Avenue, 15 years ago we barely had 15 people on a Shabbat. Today, every Shabbat you see 70 or 80 tallises and a load of kids running around."

Landau said the Upper West Side "caters to Orthodox people in a way that people could personalize their own practice. It's a very live-and-let-live attitude."

#### Torah Study At Talia's

Orthodox institutions in the neighborhood, however, are not necessarily limited to places of learning or worship. The neighborhood also offers a slew of services, such as cafes, restaurants and bakeries, catering to the booming Orthodox population.

One such place is Talia's Steakhouse, a glatt kosher restaurant on

Amsterdam Avenue between 92nd and 93rd streets. With the growing Orthodox population in mind, the restaurant opened approximately a year ago.

Empty tables are hard to come by, according to Talia's waiter Rami Rabuchin, 22, an Israeli native.

"We get all sorts of clients," he said, "but mainly Orthodox, what we would call haredis. Every Wednesday there are Torah lessons given, and occasionally we hold a fund-raiser for tzedaka."

Yet for all the pluralistic undertones, the Upper West Side's Orthodox community remains strongly committed to its core values. And while some of the neighborhood's residents avoid self-definition, others gladly take to it.

An Orthodox man in his late 20s, who identified himself only as Jonathan and who works in the computer field, moved from



Flatbush

three years ago. Pointing to his traditional headgear, he said, "same black hat, only around here, better options."

Even Scharf, with his porous identity, agreed that the Orthodox Jews living on the Upper West Side, while more open to their surroundings, are still very much part of the Orthodox community at large.

"You're just as true and righteous if you say that you believe that your way of observance and worship and servitude requires you to be more introspective and more observant, to remain insular, to focus inwards and not outwards," he said.

"There's no right or wrong. ...When you live in Borough Park, you're within your group, you continue to focus on your group in a very positive manner. When you are in a place like the Upper West Side, you are more reflective. That's a benefit, or a byproduct, of where we live."

While the Orthodox growth is clearly reshaping the West Side, a brief glance at the history of the neighborhood suggests that while surprising to some, the demographic shift is very much in line with the neighborhood's tradition.

Often perceived as a mostly Jewish neighborhood, the Upper West Side, according to the New York Historical Society's "Encyclopedia of New York City," was in fact populated in the 1940s and '50s by Southern blacks, Russians, Dominicans, Puerto Ricans, Haitians and Ukrainians, and in the '50s and '60s by Cubans, Dominicans and Puerto Ricans.

The shifting populace undoubtedly has contributed to an atmosphere of diversity, which the Orthodox Jews who moved to the neighborhood over the previous decade warmly embrace.

And while the overall Jewish population on the Upper West Side

is dropping, the Orthodox population is thriving. Jonathan, the young Orthodox man, is not concerned. Ambling into a shtiebel on West End Avenue on a recent afternoon, he simply pointed at his fellow congregants.

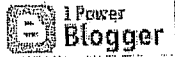
"Look," he said, "look at who comes here to daven." Through the door walk a hodgepodge of Jews, from men who, like Jonathan, wear a black hat, to men wearing sophisticated suits and small, unobtrusive kipot.

"It doesn't matter to me what you are, we still daven together," Jonathan said. "We're just Jews living on the Upper West Side, same as we always have."

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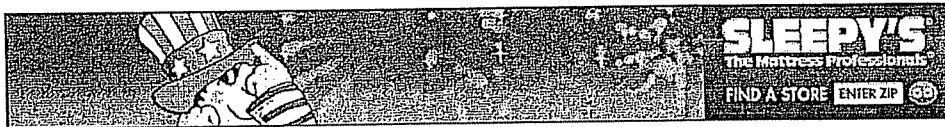


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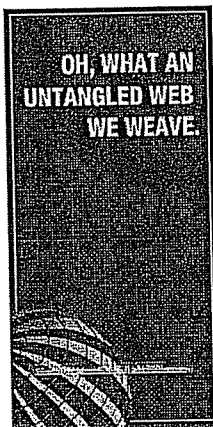
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## Following Years of Wrangling, Village, Chelsea Buildings Rise

By JILL PRILUCK, Special to the Sun  
August 16, 2007

DEVELOPER CARY TAMARKIN IS MOVING FORWARD ON NEW RESIDENTIAL condominiums in the Far West Village and West Chelsea following the resolution earlier this month of a lawsuit over two parcels of land that dragged on for four years.

The West Village parcel, at 397 W. 12th St., will be the site of a 10-story, five-unit building. Each apartment will be as large as 6,600 square feet and will be left as raw space. The asking prices are expected to range between \$5.5 million and \$14 million.

The West Chelsea property, at 456 W. 19th St., will include 22 duplexes ranging in size from 1,100 square feet to 2,800 square feet, with asking prices of \$1,500 a square foot to \$2,800 a square foot. The buildings are already under construction.

Mr. Tamarkin is a seasoned real estate insider who in 2000 battled Woody Allen and other Upper East Siders over a proposed 17-story Carnegie Hill tower he was developing at 47 E. 91st St. The building eventually was built to nine stories.

Mr. Tamarkin's new developments were hotly contested because of the value of the sites. During the time it took Mr. Tamarkin's lawsuit to wind through the courts, the average price for residential properties downtown skyrocketed. According to the appraisal firm Miller Samuel, three-bedroom Greenwich Village condos almost tripled to \$1,647 a square foot in the second quarter of 2007 from \$662 in 2003, while the price per square foot for two-bedroom condos in Chelsea rose to \$1,247 from \$770 during the same period.

"Both of those properties are to downtown what 15 Central Park West is to the Upper West Side," an executive vice president at Prudential Douglas Elliman, Darren Sukenik, said. The 12th Street location is "the only clean parcel left in the West Village that they can build the way they want," he said. As for the West Chelsea development, "these aren't two-bedroom, two-bathroom cookie cutters in parts of Chelsea where no one wants to live."

Mr. Tamarkin, a long-term commercial tenant at the West 12th Street property, sued his landlord, Victor Zupa, and a developer, Madison Capital Management, after Mr. Zupa tried to sell the West 12th Street property and the West 19th Street site to Madison Capital for \$22 million. According to Mr. Tamarkin's lease, he was supposed to be given a first chance to buy the properties.

Mr. Tamarkin and his lawyer, Y. David Scharf, a partner at the law firm Morrison Cohen, alleged that Mr. Zupa and Madison Capital colluded to defraud Mr. Tamarkin. After years of litigation, including three lower court decisions, three appeals, and two applications to the court of appeals, Madison Capital exhausted its legal options against Mr. Tamarkin. During the course of the litigation, Mr. Tamarkin purchased the two parcels from Mr. Zupa for \$24 million.

The suit is a reminder of the importance of the right of first refusal, experts say. "I've seen situations where people have tried to circumvent rights and they have to be careful how they do it because of contractual obligations of good faith and fair dealing," a partner at Greenberg Traurig, Robert Ivanhoe, said.

Mr. Scharf, who counts Donald Trump as a client, said the lawsuit illustrates a trend of using the legal system to renegotiate a deal when market forces fall short.

"In a hot market, as New York has been for the last few years, people are looking for leverage and they are resorting to the litigation process to try to give them an angle to get pieces of property that they weren't able to get in the ordinary bidding process," he said. "If we were in a flat market, my guess is that a lot of this litigation wouldn't be happening."

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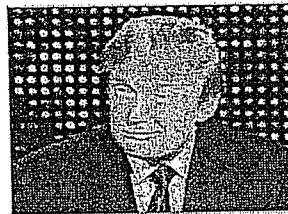
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### The Donald wins \$3 million -- over dirt?

Report: Real estate mogul wins case involving funds paid for dirt hauled from property.

November 9, 2005 7:03 AM EST

NEW YORK (CNN/Money) - Donald Trump reportedly has scored a multi-million verdict in a case involving dirt hauled from a property he's developing.



Donald Trump reportedly won a \$3 million to \$4 million verdict in a case involving dirt hauled from one of his properties.

The New York Post reported that a county judge in Westchester, N.Y., ruled in favor of Trump and against Columbus Construction Corp. of Mount Vernon, N.Y. The paper said the company excavated dirt from the building site of the Trump Briarcliff Manor Development, which includes a golf course and homes.

Trump's lawyer, Y. David Scharf, told the paper the verdict would come to about \$4 million to cover damages plus interest and legal fees. Columbus Construction's lawyer, Stanley Zinner, told the paper the final figure would be closer to \$3 million and that his client is considering an appeal.

The paper reported that Judge Kenneth Rudolph found no evidence that Columbus intentionally overcharged Trump.

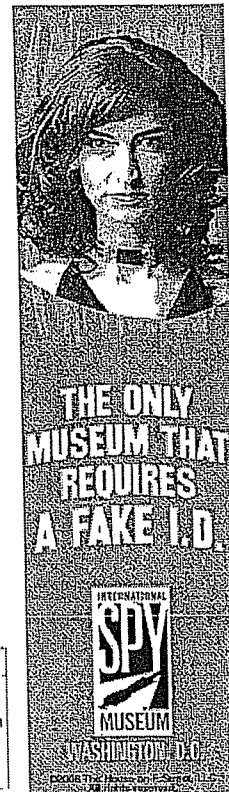
But Rudolph ruled that Columbus' decision to voluntarily leave the project, after Trump decided to withhold payment for future work, constituted a material breach of contract, the report said.

Columbus argued its trucks had carted away the required amount of dirt, according to the paper, while Trump's attorney argued their survey found the actual excavation to be 1.4 million cubic yards less than what Columbus claimed.

"Just because he's a billionaire doesn't mean he's going to stand idly by when people try to take things that don't belong to them," Scharf told the paper.

For a look at plans to have Donald Trump's voice as a cell phone ring tone, click here.

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## Two couples claim \$340 million, second-biggest jackpot in U.S. lottery history

By: BRAD CAIN - Associated Press | Tuesday, November 8, 2005 9:33 PM PST

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SALEM, Ore. — A family that parlayed \$40 worth of tickets into the second-biggest jackpot in U.S. lottery history came forward Tuesday to claim their \$340 million prize.

"I'm still in disbelief that we won the big one," said Frances Chaney, 68, who went in on the Powerball ticket with her 72-year-old husband Bob, their daughter and daughter's husband.

The Powerball numbers were drawn on Oct. 19, but the four waited to claim their winnings at Oregon Lottery headquarters until they consulted with financial advisers, said the Chaney's son-in-law, Steve West, 48.

Frances Chaney said she checked lottery numbers on the Internet on the night of the drawing, and was shocked to see they had the winning numbers.

"I checked about five or six other Internet sites, and said, 'There's something wrong here,'" she told reporters at a news conference.

She woke up her husband, and then called her daughter, Carolyn West, 47, to break the news. She said Steve West didn't believe it at first.

"My husband is a big joker and my son-in-law thought he had somehow dummied up a ticket," Frances Chaney said.

The four, who live in southern Oregon, said they haven't made major purchases yet, other than a Humvee bought by Bob Chaney, who ran a security company in California for 28 years before retiring.

"For the past year or so he's been wanting to get a yellow Hummer. Needless to say, there's one in our driveway now," said Frances Chaney.

Steve West, a landscaper, said he plans to continue working "to keep my body a little more active" but probably will cut back on his hours.

Frances Chaney said the four decided they will take the money in an after-tax lump sum of \$110 million, rather than 30 annual installments of about \$7.6 million.

The biggest lottery jackpot in U.S. history was \$363 million, won by two ticket holders in Illinois and Michigan in 2000. Powerball is played in 27 states.

### Donald Trump wins golf course claim and \$4 million

By: Associated Press

WHITE PLAINS, N.Y. — Donald Trump could become a few million dollars richer after winning a lawsuit Tuesday against a construction company he'd accused of overcharging him for work at a golf course.

Trump had sued Columbus Construction Corp. of Mount Vernon, claiming it had billed him for \$1.5 million more than he owed for excavation work during the construction of Trump National Golf Club and homes in Briarcliff Manor, about 30 miles north of midtown Manhattan.

"If you get caught with your hand in Mr. Trump's cookie jar you're going to get slapped and slapped hard," said Trump's attorney, Y. David Scharf.

Trump testified in Westchester County Court last spring, saying, "They submitted bills, and we paid them. Then we checked the engineering reports and found out that we had paid them far more than we owed them."

He claimed damages from Columbus leaving the job site, failing to complete the work and causing losses in golf course revenues and residential sales.

In a decision released Tuesday, state Supreme Court Justice Kenneth Rudolph awarded \$2.1 million in damages plus 9 percent interest over four years and still-to-be-determined legal fees. Scharf said the total would come to about \$4 million.

The construction company's attorney, Stanley Zinner, called the verdict disappointing and said an appeal is possible. He said it was "no consolation" that the judge found no malicious intent.

### Man charged with killing alleged attacker in gay-bashing

By: Associated Press

PHILADELPHIA — A young man was charged with stabbing to death one of four teenagers who allegedly attacked him and taunted him because he is gay.

Lucas Dawson, 21, is charged with voluntary manslaughter in the Oct. 29 death.

The four teens rushed the aspiring singer near his home after he crossed a street to avoid them, said his stepfather, David Dawson.

"One of them punched him in the mouth," David Dawson told the Philadelphia Daily News. "They knocked him to the ground. They kicked him. They stomped him. They called him faggot."

Lucas Dawson pulled out a small pocket knife and waved it at the teens to chase them away, David Dawson said. He then ran but was grabbed by Gerald Knight, 17, who was stabbed in the chest in a struggle, he said.

Lucas Dawson remains in jail in lieu of \$30,000 bail. If convicted, he could face a maximum of 30 years in prison.

The day before the attack, Lucas Dawson had performed in front of the "American Idol" judges, his family said. He was eliminated after the third round.

**Report: Man claiming he was glued to toilet made similar allegation in past**

**By: Associated Press**

DENVER — A man who sued Home Depot last month claiming a prank left him glued to a toilet seat made a similar allegation about another restroom more than a year ago, an official told a newspaper.

Bob Dougherty's lawsuit alleges employees at the store ignored his pleas for help on the day before Halloween 2003 because they thought he was kidding.

But Ron Trzepacz, former director of operations for the town of Nederland, where Dougherty lives, told the Rocky Mountain News in Tuesday's editions that Dougherty told him in the summer of 2004 he was glued to a toilet seat in the town's visitor center but pulled himself free.

Trzepacz told the paper he inspected the bathroom and found "no indication that anything had been on the toilet seat." No police report was filed, he said.

Dougherty's lawyer, Mark Cohen, denied his client made such a claim and said Dougherty, 57, is willing to take a polygraph test.

"The allegation doesn't make any sense," Cohen told The Associated Press Tuesday.

Neither Trzepacz nor the Nederland town administrator immediately returned a call from the AP. Nederland is about 45 miles northwest of Denver.

Dougherty's lawsuit, filed Oct. 28, said officials at the store in Louisville called for an ambulance after he had been stuck for about 15 minutes. Paramedics unbolted the toilet seat, which separated from his skin, leaving abrasions, according to the suit.

The lawsuit also said Dougherty was recovering from heart bypass surgery and thought he was having a heart attack when he got stuck.

The lawsuit claims he suffered pain, humiliation and financial loss. It seeks \$3 million.

"It's not about the money. I want my health back. I want to be back to normal," Dougherty said. "I want to make sure this doesn't happen to anybody ever, ever again."

**'Dreaded Indian bandit fatally shot by police**

**By: Associated Press**

LUCKNOW, India — One of India's most dreaded and colorful bandits has been shot to death by police in the forests of central India, ending a nearly three-decade career in crime that included murders, kidnappings and looting, police said Tuesday.

Nirbhay Singh Gujjar — a frightening figure with a handlebar mustache, long beard and bloodshot eyes — was killed Monday night in a police ambush that ended in a shootout, according to senior superintendent of police Akhilesh Kumar.

"We raided the area with two local villagers and were able to gun him down," he said.

Gujjar, 64, led one of the few remaining bands of outlaws, known as dacoits, who for centuries have roamed the forests and ravines of Chhambal in central India, and whose exploits have been romanticized in several Bollywood movies.

Some were portrayed as horse-riding murderers and rapists, and others as warmhearted Robin Hoods.

Had a movie been made about Gujjar, he would have fallen in the first category, being wanted in 177 criminal cases, with a reputation for womanizing and love of alcohol.

He was also known to be a tech-savvy, cell phone wielding bandit who courted the media and had procured several flak-jackets and night-vision goggles for his escapades. It was his use of cell phones that led police to him through electronic surveillance, Kumar said.

Gujjar was married three times — the first time to another dacoit, Seema Parihar, whose life provided the script of a Hindi movie, "Wounded."

His downfall began after his second wife Murni eloped with a gang member. Singh tracked them down and shot both to death. He then married another woman, Neelum, but began an affair with a teenage girl, Sarla.

To hide the affair, he had a key gang member, Shyam Jatav, marry Sarla. But Jatav and Neelum gave themselves up

to police after finding out about Gujjar's relationship with Sarfa.

In August, with his gang reduced from 72 members to six because of infighting and pressure from security forces, Gujjar tried to strike a surrender deal with authorities. It fell through when Gujjar demanded to be made a ruling party candidate in general elections.

Gujjar, debilitated by diabetes and high blood pressure, was forced into a life on the run in the ravines of Chambal

"The last Lion of Chambal," as he was known, "finally fell victim to a police bullet," The Times of India daily said Tuesday.

Congressman Sherwood settles suit filed by ex-mistress, lawyer says

By: Associated Press

WASHINGTON -- Rep. Don Sherwood reached a settlement Tuesday with a former mistress who accused him of abuse in a \$5.5 million lawsuit, according to his lawyer.

Terms of the settlement between Sherwood, R-Pa., and Cynthia Ore, with whom he acknowledged a five-year affair, will remain confidential, said Paul Clark, a spokesman for Sherwood's attorney, Bobby Burchfield.

"Attorneys for Cynthia Ore and Congressman Don Sherwood announced today that their clients have resolved their differences, and the lawsuit will be dismissed," Clark said, reading from a statement.

Sherwood, 64, and Ore, 29 when the suit was filed in June, do not plan further comment, the statement said.

Ore's attorney, Patrick Regan, did not immediately return a message left at his office Tuesday evening.

The settlement was filed in federal court, Clark said.

Sherwood, a fourth-term congressman, is married with three daughters. He issued a statement this summer apologizing for the affair but denying he physically hurt Ore. He also said she never lived with him, which she had claimed in her lawsuit.

Ore filed suit after it became public that she called police from his Capitol Hill apartment on Sept. 15, 2004. According to the police report, Ore called 911 on her cell phone from the bathroom and reported that Sherwood had "choked her for no apparent reason."

Both parties said he was giving her a back rub, but he said she "jumped up" and ran to the bathroom.

Co-worker says he recognized suspect in videotaped images of Florida kidnapping

By: Associated Press

SARASOTA, Fla. -- A business partner, roommate and other acquaintances of a man accused of raping and strangling an 11-year-old girl testified Tuesday that they recognized him in images captured by a security camera.

The suspect in the images had Joseph Smith's gait and wore a uniform like the one worn at the garage they operated together, said the business partner, Ed Dinyes. In the tape, the suspect is seen taking the girl away by the arm.

"That is Joe? What ... is he doing there?" said Dinyes, recounting his reaction after seeing the images in February 2004. "I couldn't believe that this is the guy I know."

Smith, a 39-year-old former auto mechanic and father of three daughters, is charged with first-degree murder, kidnapping and capital sexual battery in the death of Carlie Brucia. He pleaded not guilty. If convicted, he may face the death penalty.

Besides the videotape, prosecutors have said they have DNA evidence linking Smith to the crime and clothing fibers belonging to Carlie that were found in a car used by Smith. The defense says the evidence is inconclusive and other suspects weren't properly investigated.

Dinyes said his wife was the first to recognize Smith in the images broadcast just a few days after Carlie disappeared from the parking lot of a car wash. She woke her husband, told him to watch the television and urged him to call authorities.

After his wife left for work, Dinyes reported his suspicions to a police hot line recording, but then called 911 because he felt "it was vital that I get a hold of someone," he said.

Haskell Clemons, who managed a tire shop where Smith worked occasionally, and Jeff Pincus, Smith's roommate, also testified that they recognized Smith from his posture and walk.

Clemons and the Dinyes told jurors that Smith had gained weight and changed haircuts since the images were taken.

Pincus said he loaned Smith his station wagon the afternoon of Carlie's disappearance, believing it would be returned in a few minutes. But Smith didn't return the car until the next morning and had added more than 300 miles to the odometer. Smith left wearing a mechanic's uniform but returned in a green sweat shirt, Pincus added.

During cross examination, Pincus acknowledged that in a deposition he had confused the days when he loaned Smith the station wagon.

Detective Toby Davis testified that he interviewed Smith at his home, searched his bedroom and found mechanic's uniforms. Davis showed Smith a still photo taken from the security camera images, and Smith said, "That looks like me, but it's not me," Davis testified.

Defense attorney Adam Tebrugge asked Davis why he had not requested a forensics examination of a tow truck belonging to Ron Choquette, who lived at the house where Carlie spent the night before she was abducted.

Davis said Choquette was cleared of suspicion because his alibi checked out, uniforms weren't found at his house and he didn't have tattoos on his forearms as did the man in the camera images.

**Hmong immigrant receives life in prison for killing deer hunters in Wisconsin**

By: Associated Press

HAYWARD, Wis. — A Hmong immigrant convicted of murdering six deer hunters and attempting to kill two others after a trespassing dispute was sentenced to life in prison Tuesday with no chance for parole.

Judge Norman Yackel ordered Chai Soua Vang, 37, to serve six life prison terms, one after the other, guaranteeing he would never be freed from prison. Wisconsin does not have a death penalty.

Yackel described Vang as a "time bomb ready to go off" at the slightest provocation.

Vang, a truck driver from St. Paul, Minn., was convicted on six counts of first-degree intentional homicide and three counts of attempted homicide in the Nov. 21 slayings.

The homicide charges carry a mandatory sentence of life in prison, but Yackel could have set a parole eligibility date for Vang. The judge also sentenced Vang to three concurrent terms of 40 years in prison on the attempted homicide charges.

Vang's attorney, Steve Kohn, said he would appeal but declined to elaborate.

The slayings occurred during the state's beloved deer hunting season and exposed racial tension between the predominantly white north woods residents and immigrants from the Hmong ethnic group.

Attorney General Peg Lautenschlager sought the maximum sentence for Vang, a father of seven children. She argued Vang would kill again unless he was locked up for the rest of his life, given his "explosive temperament" and lack of true remorse or regret.

Vang addressed the victims' families in court Tuesday but did not apologize.

"I understand your anger, your frustration, your grief," he said.

According to trial testimony, Vang said he got lost, went into a tree stand on the private land and was asked by another hunter, Terry Willers, to leave. Vang said he apologized and started walking away.

Other companions of Willers arrived, and there was an angry verbal confrontation and threats to report Vang to game wardens for trespassing.

Vang testified he fired in self-defense after one hunter angrily shouted profanities at him and used racial slurs before another fired at him.

Willers and the other wounded hunter, Lauren Hesebeck, said no one in their group pointed a gun at Vang before he opened fire.

Willers and Hesebeck indicated only one shot was fired at Vang — by Hesebeck, who was already wounded and some of his friends lay mortally wounded on the ground.

Vang was convicted of killing Robert Crotteau, his son Joey Crotteau, Denny Drew, Allan Laski, Jessica Willers and Mark Roidt. All were relatives and friends who gathered to hunt from the Crotteaus' cabin near Exeland.

**Alabama governor calls for travel boycott of Aruba over missing teen case**

By: Associated Press

MONTGOMERY, Ala. — Gov. Bob Riley called for a nationwide travel boycott of Aruba on Tuesday on behalf of a missing Alabama teenager's family, who accuse the island's government of not fully cooperating with the investigation into her disappearance.

Riley asked his fellow governors to join him in urging the boycott of Aruba, where 18-year-old Natalee Holloway was last seen on May 30.

"There are no other alternatives to get Aruban authorities to take this as seriously as they should," Riley said.

Holloway's mother, Belh Holloway-Twitly, joined Riley at the Alabama Capitol for the boycott announcement. She contends Aruban authorities have failed to adequately investigate the possible murder of her daughter, who was with a Dutch teenager and two Surinamese brothers on the night she disappeared.

The young men were held for a time but have been released.

Aruba Police Chief Gerald Dompig said later Tuesday the investigation into Holloway's disappearance is not complete, and that authorities want to interview other American teenagers who were on the high school graduation trip with Holloway.

"We want to talk once more with various students because their first statements, taken by the FBI, were very short," Dompig said. "There are a few crucial questions that they still have to answer."

He would not say what those questions are.

Riley was asked if parents should allow their children to go to Aruba on similar trips as long as Holloway's disappearance is unsolved.

"I would not allow my daughter to go to Aruba," he said.

Officials in Aruba referred questions about the boycott to the Dutch embassy in Washington, D.C., which did not

immediately return a phone call.

#### Fleeing car gets pinned between big rigs on California highway

By: Associated Press

GORMAN — A motorist fleeing the California Highway Patrol got a big squeeze from a big rig.

The pursuit early Tuesday abruptly ended when the fleeing car tried to weave through traffic on Interstate 5 and a tractor-trailer pulled into its lane, forcing the car into a collision that left it jammed between two trucks.

The chase began when officers tried to stop the small sedan for an unsafe lane change on Highway 14 near Santa Clarita in north Los Angeles County, said CHP spokeswoman Rebecca Estrada.

The car didn't pull over, but got onto northbound Interstate 5, Estrada said.

TV news helicopters broadcast the chase as the driver snaked between slow-moving trucks.

When the sedan went past a truck that had stopped on the left shoulder near Gorman, another big rig in an adjacent lane suddenly turned left, and the car hit it, said Officer Ryan Love.

The impact ruptured the truck's diesel tank and caused fuel to spurt out but no one was injured, said Love.

Steven Burns, 24, was arrested for investigation of drunken driving, evading arrest and auto theft, said Officer Ryan Love.

Officers were also investigating whether the truck driver intentionally cut off the sedan.

#### Prince and Camilla wrap up U.S. visit with shelter tour

By: Associated Press

SAN FRANCISCO — Prince Charles and his new wife Camilla wrapped up their visit to the United States by touring a homeless shelter Tuesday.

The trip was a fitting end to the West Coast swing of their U.S. journey, which has had a back-to-basics theme of organic farming and environmental stewardship.

The royals began their tour of the Empress Hotel near downtown San Francisco by meeting Mayor Gavin Newsom and former supervisor Angela Alioto, who worked on the city's 10-year plan to combat homelessness. Also present was Philip Mangano, appointed by President Bush to head the U.S. Interagency Council on Homeless.

Charles and Camilla visited the rooms of two residents of the hotel, which is part of the city's Direct Access to Housing Program, and later had a round-table discussion with Newsom, and city and hotel staff.

"He's a very charming person," said Rene McIntyre, 48, a former music teacher who was one of the people visited by the royal couple. "I think he understood and he put me at ease. I think he really wanted to hear the personal side of the homeless issue."

The prince also visited John Panzer, 42, who got a laugh when he praised the job Newsom was doing just as the mayor appeared in the doorway. Newsom responded by whipping out a credit card in mock payment to Panzer for the compliment.

Residents and city officials were impressed with Charles' grasp of and interest in the problems of homelessness.

And Alioto saw the visit as a milestone, of sorts.

"If you had told anyone two years ago that Gavin Newsom and Angela Alioto and the Prince of Wales would be standing in a successful, supportive housing program in San Francisco, no one in a million years would have believed you," Alioto said after the visit. "That's what you call a city working together for serious results in a human crisis situation."

#### Mink farm raider gets two-year term, urges more raids

By: Associated Press

MADISON, Wis. — An animal rights activist who freed thousands of mink from Midwestern fur farms and then dodged federal authorities for years was sentenced to two years in prison Tuesday after urging his supporters in the courtroom to raid more farms.

Peter Daniel Young, 28, of Mercer Island, Wash., became an idol to fellow activists during his seven years on the run from the FBI before he was arrested in March for trying to shoplift CDs from a Starbucks in San Jose, Calif.

Dozens of supporters demonstrated on the sidewalk outside the federal courthouse Tuesday, holding signs that read "Free Peter" and "Fur — No Skin Off Your Back."

They jammed U.S. District Judge Stephen Crocker's courtroom, sitting on each other's laps after the spectator benches filled. They applauded and cheered when U.S. marshals led Young into the room. Young nodded and smiled at them.

"I don't think he's wrong at all," said Anna Marie Loeffler, 22, of Madison. "I completely support what he did."

Young read a statement to the court, calling his mink farm raids an "act of conscience." He told fur farmers in the audience "it was an absolute pleasure to raid your farms" and urged everyone in the courtroom to go out and attack more farms.

His fans erupted in applause until Crocker threatened to kick out the next person who clapped.

The judge called Young an arrogant vigilante and warned him against ever repeating his crimes.

"He clearly relishes his role as a martyr for his cause," Crocker said. "Just sit on your bully pulpit and tell other people what to do because the consequences for you will be dire (the next time)."

Young had pleaded guilty in September to two counts of animal enterprise terrorism in a deal with prosecutors.

The judge sentenced him to the two-year prison term and \$254,840 in restitution to the mink farmers. He also sentenced him to one year of supervised release and 360 hours of community service that must be spent helping humans, not other species, as Crocker put it.

Young and accomplice Justin Samuel were originally indicted in Madison in 1998 on four extortion charges and the two animal enterprise terrorism counts. Federal prosecutors said they broke onto mink farms in Wisconsin, South Dakota and Iowa in 1997, cut fences and freed the animals from their cages.

Investigators believe they were acting on behalf of the Animal Liberation Front, a radical group that aims to destroy animal industries it considers inhumane, although Young's attorney, Chris Kelly, denies that.

Both Young and Samuel disappeared after the indictment came down.

Samuel was captured in Belgium in 1999. He later struck a deal with prosecutors and served two years in prison.

Authorities dropped the four extortion counts against Young in July after deciding a U.S. Supreme Court ruling in 2003 invalidated the legal theory behind them.

Kelly tried to persuade Crocker to reduce the two-year sentence. He said Young has accepted responsibility by pleading guilty.

Kelly went on to argue the attacks were an act of civil disobedience and giving Young the full two years could have a "chilling effect" on free speech.

That left assistant U.S. attorney Bob Anderson flabbergasted. He called Young's acts an insult to true civil disobedience and likened him to a petty thief and a terrorist.

"What he did is not noble," Anderson said. "He chose violence."

Crocker agreed. True civil activists don't skulk around at night and flee from the law as Young did, the judge said.

Kelly railed against Anderson labeling Young a terrorist, which Kelly defined as someone who uses violence to harm human beings.

"It's overblown rhetoric," Kelly said. "Mr. Young didn't use violence against any human being."

Crocker asked Kelly if he thought white people who burned black churches weren't terrorists. "This did not strike terror into the hearts of the victims?" the judge said.

"I don't think 'terrorist' applies to someone who cuts a fence in the middle of the night," Kelly said.

Alex Ott, owner of a mink farm near Tomahawk, testified Young and Samuel freed more than 350 minks from his farm.

He said after the hearing he should be allowed to attack Young's home when Young gets out of prison "and see how he likes it."

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Mar 18 2005 8:34 PM EST

## Lil' Kim Won't Get Maximum Sentence, Expert Predicts

Rapper facing up to 20 years in prison for perjury conviction.

By Chris Harris, with additional reporting by Shaheem Reid

Now that Lil' Kim has been convicted of perjury, the two biggest questions surrounding the Queen Bee are how much time will she get and did she do herself a disservice by not copping a plea before the case went to trial?

Kim, who'll be sentenced June 24, faces up to 20 years after being found guilty Thursday of three counts of perjury and one count of conspiring with a co-defendant; each count carried a maximum five-year term (see "Lil' Kim Found Guilty Of Lying To Grand Jury, Investigators").

The rapper, born Kimberly Jones, may have dodged a bullet, though, when she was acquitted on an obstruction of justice charge, which would have tacked on even more time to her sentence. After deliberating for two and a half days, the jury determined the hip-hop diva had lied to investigators about a 2001 shooting incident outside New York's Hot 97 radio station (see "Lil' Kim Indicted For Lying About Hot 97 Shootout With Capone"), but apparently were not confident she'd done so in order to disrupt the probe.

Just how much time Kim will serve is ultimately up to Judge Gerard Lynch, but at least one expert said the first-time offender certainly won't spend two decades behind bars.

"[When sentencing,] the judge is free to consider any other information about the offense and about the defendant, Lil' Kim," said Gerald Shargel, a noted criminal defense lawyer who has represented mobster John Gotti along with a who's who of celebrity defendants including current client Irv Gotti. "He's free to look at any additional factors and impose a non-guideline sentence. It always depends, in large part, on the judge, and Lynch has a reputation for fairness and balance. She'll get a prison sentence, but nothing like 20 years."

Y. David Scharf, a New York attorney whose clients include Donald Trump, kept a close eye on the Lil' Kim trial, he said, and feels the chips were stacked against the rapper before the trial even got started.

"The fact that [during her earlier grand jury testimony] she got up and denied meeting people when there were pictures of her with those people [put her] in a difficult situation," he said. "The only thing she had going for her was, was what she was going to say going to be believable? Once she lost her credibility on the witness stand, by having said things that were easily refuted, she was in big trouble."

In addition to using Kim's own words against her, prosecutors also relied on testimony from people such as former co-manager Damion Butler and Suif "Gutta" Jackson, a member of her former group Junior M.A.F.I.A., who cooperated as part of a plea bargain (see "Lil' Kim's Ex-Manager To Testify Against Her In Perjury Case").

"When they subpoena you, you go to court or they take your ass to jail. It's just that simple," said fellow Junior M.A.F.I.A. member Lil' Cease, another key witness for the prosecution. Cease said he testified under duress and that the case against Kim was so strong, she would have been convicted even if he hadn't taken the stand.

"They pulled pictures, interludes, shout-outs on the back of her album," Cease said. "They was in there playing [Lil' Kim's] 'No Matter What They Say' video with

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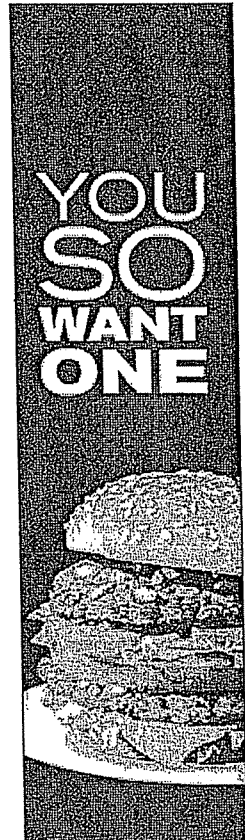
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all of us there. They had memos of when we flew places with the same names of the two people who copped out to the case [who] she said she didn't know. They got flight information, memos, pictures of her with these same people, so it wasn't about nothing we said. We just went in there and said what they already knew. Would I sit there and be that dumb and lie about something they already know? It's like asking to go that jail. That's what I felt she was doing. It's like asking to go to jail. If I knew all this information, her lawyer knows all this information. If he didn't, he was dumb."

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Cease said he agrees with Scharf, who believes Kim should've tried working out a plea deal rather than risking it all with a trial.

"Once she had given testimony that was able to be palpably proven as being untrue, she should have been looking for a way out of this case in the form of a plea bargain," Scharf said. "The trial strategy was undoubtedly that the jury would be star-struck and believe what she had to say, and how she would be able to explain away the hard evidence. But people don't realize New York juries are very savvy. They don't get star-struck. We're on the subway, on the street, we're seeing celebrities all the time. I find in trials and talking to juries and doing analysis of jury actions that they don't take what a celebrity says at face value. We have to have a bit of New York cynicism attached to it."

But once she'd gone the trial route, there was no avoiding the witness stand, Scharf said. "Defendants, unless they are tagged with a criminal history, need to get up on the witness stand and explain their actions. It was the only chance she had in this case for the jury to buy into what she was saying, buy into her explanations."

Scharf said he wasn't shocked by the verdict, but that at times he thought Lil' Kim, "if I were scoring it as a fight," was "ahead on points. But at the end of the day, some of the feedback that I've gotten is that the jury just couldn't reconcile what she was saying with other palpable proof such as the photographs the prosecutor had" showing Kim with Butler, whom she claimed she had not seen on the day of the shooting.

The attorney said he expects Kim will be sentenced to five to seven and a half years and that an appeal is likely. "I don't see any great appellate grounds for it," he said, "but an appeal will perhaps give her negotiating leverage that, after she is sentenced [may allow her to agree to] drop the appeal in exchange for a post-verdict, post-sentencing plea bargain, where she will have to do less time."

The February 25, 2001, shootout outside the offices of Hot 97 is believed to have stemmed from a beef between Lil' Kim and Foxy Brown, who dissed Kim on Capone-N-Noreaga's 2000 album, *The Reunion*. As part of their plea agreement, both Butler and Jackson admitted to firing shots at Capone-N-Noreaga that afternoon.



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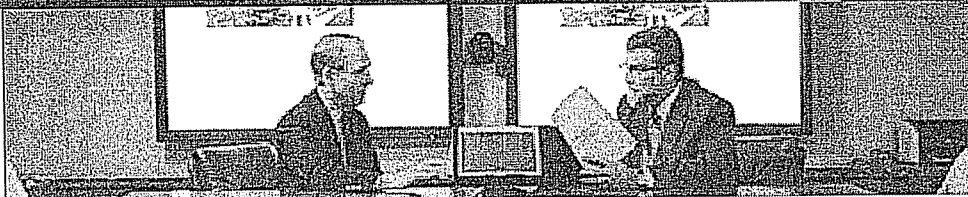
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12/14/05

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Managing Partner, David Scherl, explains Morrison Cohen's strategy and philosophy for our unique brand of client service in the New York Law Journal's article: "Mid-Sized in a Super-Sized World." Click on the attached PDF file to read the full article.

### David Scharf on CNN Headline News

12/13/05

Litigation Partner, Y. David Scharf appeared on CNN Headline News on Tuesday, December 13, 2005, with Nancy Grace. Nancy Grace is a television justice themed/interview/debate show that deals with the breaking legal stories of the day. The show aired at 8:00 PM and again at 10 PM and 1 AM ET.


### Litigators Scharf and Flynn obtain multi-million dollar trial verdict for Trump

11/9/05

In a Decision issued today, Westchester County Judge, The Honorable Kenneth W. Rudolph, ruled in favor of Donald J. Trump's company, Trump Briarcliff Manor Development, LLC and awarded Trump in excess of \$2 million in compensatory damages and restitution against Mount Vernon based contractor, Columbus Construction Corporation and its surety Liberty Mutual Insurance. The Court also awarded to Trump over four years of interest, and attorney's fees. The Court's Decision stated: Columbus' Notice to Terminate and voluntarily leaving the Project and refusal to continue work..., was without just cause and therefore constituted a material breach of contract. The Court is expected to rule on the amount of attorney's fees that the Defendants will owe Trump before the end of the year. The lawsuit involved Trump's claim against the Defendants that the contractor over-billed Trump for earthwork performed during the renovation and construction of the Trump National Golf Course in Briarcliff Manor, New York. The Court found that Columbus over-billed Trump in an amount exceeding \$1.5 million. Trump also claimed that Columbus Construction improperly left the job site, failed to complete the work required under the contract and caused Trump to lose golf course revenues and residential sales caused by Columbus Construction's project delays. In this regard, the Court found Columbus responsible for all of the delay damages claimed by Trump. Y. David Scharf and Mary E. Flynn tried the case from May 16 through June 8, 2005 in


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criminal charges in the death of 13 year old, Megan Meier who hanged herself after receiving bullying and harassing messages through the *My Space* network. Mr. Scharf discussed the implications of the prosecutor's decision on a potential wrongful death action and some distinctions between a civil action and a homicide prosecution.

**Scharf on Fox - Litigation Partner Y. David Scharf Appears on Fox Business Channel's "America's Nightly Scorecard"**  
11/14/07

On November 14 , 2007, litigation partner Y. David Scharf appeared on the Fox Business Channel's "America's Nightly Scorecard" to discuss how perceived losses have been turned into triumphs by notable business luminaries and sports figures such as Carl Icahn, Donald Trump, Lance Armstrong, and others. He then participated in the nightly panel feature called "buy, sell or hold" and discussed the merits of a lawsuit filed against Mylie Cyrus by her fan club for not having received tickets to her sold out concert series "Hannah Montana."

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## TRUMP SUES OVER ISRAEL 'FLIP'



May 16, 2008 -- HELL hath no fury like Donald Trump when people use his name to make millions and then don't pay him what he regards as his fair share.

Trump is suing luxury condo developer Crescent Heights Diamond, which he says licensed the name "Trump Plaza" for a 70-story residential and commercial tower it planned in Ramat Gan, Israel, near Tel Aviv. Trump was to get a 25 percent cut on each unit sold, plus other royalties on what would have been Israel's tallest building.

But, in his lawsuit filed in Manhattan Supreme Court, Trump charges that after he tirelessly promoted the project, Crescent Heights stiffed him by selling the land for which it paid \$44 million in April 2007 to another development company for \$80 million - a profit of \$36 million.

"They announce with tremendous fanfare that Trump is their partner. Then, instead of building, they flip the site," Trump fumed to Page Six. "They used my name to pump up the value, then made a big profit. We put this site on the map, and under the contract they are obligated to complete the project. They are not good representatives for the great state of Israel and they should be ashamed of themselves."

Crescent's lawyer, Saul Sack, would not discuss specifics, but said Trump "is not entitled to any compensation... The lawsuit is without merit." Making things stickier for Crescent is the fact one of its principals is Bruce Menin, husband of Manhattan Community Board 1 chair Julie Menin.

"This lawsuit is sure to get political waters percolating as Ms. Menin is an unannounced candidate for City Council in 2009," one source told us. "She recently took some neighborhood heat trying to avoid answering how her husband made a \$50 million profit off the sale of the former parking lot where the Trump Soho is now being built."

"I won't be voting for her, you can quote me on that," Trump said.

Neither Bruce nor Julie Menin returned our calls or e-mails.

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