

# SETTLEMENT AGREEMENT

WHEREAS, Trump Hotels & Casino Resorts, Inc., ("THCR") Ikon Public Affairs ("IKON"), and New York Institute for Law and Society (the "Institute") (collectively the "Lobbying Entities") are, or will become, registered lobbyists and/or clients in the State of New York; and

WHEREAS, the Lobbying Entities acted in furtherance of a common goal; and

WHEREAS, the Commission has not determined the individual responsibilities of each party for violations of the Lobbying Act; and

WHEREAS, the arrangements among the Lobbying Entities resulted in certain activities which the Commission believes required additional and/or amended filings with the Commission and thus, the Commission believes there are deficiencies in the filing of the Lobbying Entities ("Alleged Filing Deficiencies"); and

WHEREAS, the Lobbying Entities have agreed to provide amended filings in accordance with the Commission's views without admitting to violations of the New York State Lobbying Act (the "Lobbying Act"); and

WHEREAS, the Lobbying Entities are obligated under the Lobbying Act to file bi-monthly and/or semi-annual reports with the New York Temporary State Commission on Lobbying; and

WHEREAS, the New York Temporary State Commission on Lobbying has noted deficiencies, errors and omissions in the Lobbying Entities' filings; and

WHEREAS, the Lobbying Entities have reviewed their filings with the New York Temporary State Commission on Lobbying for the period January 1, 2000 through July 17, 2000 and have identified and brought to the attention of the Commission staff the Alleged Filing Deficiencies; and

WHEREAS, the Lobbying Entities have agreed to pay civil penalties to the Commission with respect to the Alleged Filing Deficiencies with respect to the Lobbying Act as follows: THCR shall pay \$50,000, IKON shall pay \$100,000, and the Institute shall pay \$100,000.

NOW THEREFORE, the Lobbying Entities, on behalf of themselves and their affiliated companies, and the New York Temporary State Commission on Lobbying hereby enter into this Settlement Agreement (the "Agreement") and agree as follows:

- I. Within 14 days of the date of this Agreement as first written above, the Lobbying Entities will file amended Lobbyist Bi-monthly Report(s) and amended Client Semi-annual Report(s) (collectively the "Amended Lobbying Reports") with the New York Temporary State Commission on Lobbying for the period January 1, 2000 through July 17, 2000, inclusive.
- II. Within 30 days of the date of filing of such Amended Lobbying Reports, the Lobbying Entities may further amend their Amended Lobbying Reports as they deem appropriate (the "Settlement Period"); provided, however, that neither the fact that the Lobbying Entities amend their Amended Lobbying Reports nor the content of any such amendment to their Amended Lobbying Reports nor the content of the originally filed Amended Lobbying Reports shall form the basis of or otherwise give rise to any additional civil penalty action against any of the Lobbying Entities by or before the New York Temporary State Commission on Lobbying including, but not limited to, any investigation or civil penalty hearing.
- III. With respect to any alleged reporting deficiencies that are corrected by the filing by the Lobbying Entities of any of the Amended Lobbying Reports or amendments thereto referred to in Paragraphs I and II, the Lobbying Entities hereby waive their right to a civil penalty hearing before the New York Temporary State Commission on Lobbying.
- IV. The New York Temporary State Commission on Lobbying hereby agrees not to conduct a civil penalty hearing with respect to the reporting deficiencies referred to in Paragraph III hereof.
- V. The Lobbying Entities hereby agree they shall be jointly and severally liable to pay the aggregate \$250,000 civil penalty to the New York Temporary State Commission on Lobbying in full satisfaction of (a) all civil violations of the New York State Lobbying Act that arose or could have arisen from events occurring on or before July 17, 2000, (b) the reporting deficiencies referred to herein, and (c) any violations that otherwise have been discussed or acknowledged by the Lobbying Entities and the New York Temporary State Commission on Lobbying on or before the date hereof or during the thirty (30) day period referred to in Paragraph II above and Paragraph VI below. The Lobbying Entities acknowledge that this Agreement applies only to civil violations of the New York State Lobbying Act.
- VI. On or before the execution of this Agreement by all parties, the New York Temporary State Commission on Lobbying agrees to inform the Lobbying Entities of all violations and suspected violations of the New York State Lobbying Act by the Lobbying Entities or any of their

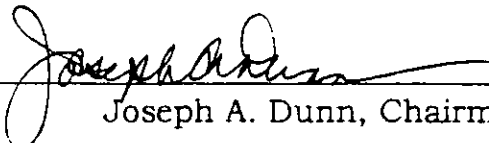
affiliates, employees or agents of which the New York Temporary State Commission on Lobbying is aware or has evidence as of the date of this Agreement. The New York Temporary State Commission on Lobbying further agrees to inform the Lobbying Entities of any such violations or suspected violations or allegations of the same of which it becomes aware in the thirty days following the filings by the Lobbying Entities of the Amended Lobbying Reports and any amendments thereto.

- VII. On or before the date of this Agreement, the Lobbying Entities will inform the New York Temporary State Commission on Lobbying of all such violations of which they are aware.
- VIII. Notwithstanding the provisions of Paragraph V hereof, the Lobbying Entities understand and acknowledge that the New York Temporary State Commission on Lobbying may investigate willful and serious violations, if any, by the Lobbying Entities of the New York State Lobbying Act which occurred after July 17, 2000, and of which, as of the date of this Agreement, the New York Temporary State Commission on Lobbying had no notice, evidence, allegation or information, and any willful violation of the New York State Lobbying Act committed by the Lobbying Entities in the filing of their Amended Lobbying Reports.
- IX. Upon request in writing and upon reasonable notice during the three (3) years after the date hereof, the Lobbying Entities hereby agree to provide the New York Temporary State Commission on Lobbying with copies of any the Lobbying Entities records relating to any compensation or expenses for lobbying activities in the State of New York, provided, however, that the Lobbying Entities may assert any valid objection to such request based on the attorney-client privilege, the attorney work-product doctrine or any other proper privilege.
- X. As a condition of this Agreement, the Lobbying Entities hereby promise and agree that they shall cause to be published the statement attached as Ex. 1 in the media outlets set forth in Ex. 2 in the quantities set forth in Ex. 2. (In no event shall the Lobbying Entities be required to pay more than \$50,000 for publishing of the statement.)
- XI. Should it be determined after a hearing before the New York Temporary State Commission on Lobbying that between the date hereof and December 31, 2000, the Lobbying Entities have failed to perform as set forth above in breach of the promise contained in Paragraph X hereof, the Lobbying Entities jointly and severally promise and agree to pay liquidated damages in the sum of \$260,000 to the New York Temporary State Commission on Lobbying.

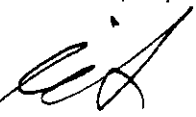
XII. That this Agreement can only be amended or modified by an express writing subscribed to by the affected parties.

XIII. Notwithstanding the joint and several liability for the payments set forth above, each party shall be individually liable for its Amended Lobbying Reports and the representations and disclosures it makes to the Commission and for any further actions taken by the Commission with respect to such party.

Dated: November 13, 2000

  
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Joseph A. Dunn, Chairman  
New York Temporary State Commission  
on Lobbying

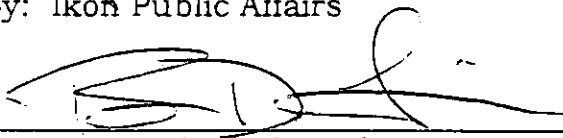
Dated: November \_\_\_\_, 2000

  
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By: Trump Hotels & Casino Resorts, Inc.

Dated: November \_\_\_\_, 2000

  
\_\_\_\_\_  
By: Ikon Public Affairs

Dated: November \_\_\_\_, 2000

  
\_\_\_\_\_  
By: New York Institute for Law and  
Society