

1 STATE OF NEW YORK
2 OFFICE OF THE INSPECTOR GENERAL

3 AN INVESTIGATION CONCERNING ALLEGATIONS
4 THAT HERBERT TEITELBAUM, EXECUTIVE DIRECTOR
5 OF THE COMMISSION ON PUBLIC INTEGRITY,
6 DISCLOSED INFORMATION CONCERNING THE
7 COMMISSION'S INVESTIGATIONS

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10 STENOGRAPHIC MINUTES OF CONTINUATION OF
11 EXAMINATION conducted of RICHARD RIFKIN, held pursuant
12 to Subpoena on the 20th day of October, 2008, at the
13 offices of STATE OF NEW YORK OFFICE OF THE INSPECTOR
14 GENERAL, Empire State Plaza, Agency Building 2, 16th
15 Floor, Albany, New York, commencing at 11:20 a.m.,
16 before Diane Daly-Gage, a Shorthand Reporter and
17 Notary Public in and for the State of New York.

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1 APPEARANCES:

2 STATE OF NEW YORK
3 OFFICE OF THE INSPECTOR GENERAL
4 Empire State Plaza
5 Agency Building 2, 16th Floor
6 Albany, New York 12223
7 (518) 474-1010
8 BY: JOSEPH FISCH, ESQ.

9 -and-

10 Sherry Amarel, Principal Investigator
11 Jonathan Masters, Investigative Counsel
12

13 O'CONNELL & ARONOWITZ, P.C.
14 54 State Street
15 Albany, New York 12207
16 (518) 462-5601
17 On behalf of Richard Rifkin;
18 BY: STEPHEN COFFEY, ESQ.
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1 P-R-O-C-E-E-D-I-N-G-S

2 MR. FISCH: Today is Monday, the 20th of
3 October and I'm in my Albany office. My name
4 is Joseph Fisch. I'm Inspector General. My
5 staff members are present, Sherry Amarel and
6 Jonathan Masters. And this is a continuing
7 examination of Richard Rifkin.

8 Mr. Rifkin, I appreciate you coming back
9 so we can continue this. And Mr. Coffey, just
10 once again note your appearance, please.

11 MR. COFFEY: Yes. My name is Stephen R.
12 Coffey. I represent Mr. Rifkin.

13 Before I start, let me put something on
14 the record if I can. After the last, I'll call
15 it deposition, Mr. Rifkin had a chance to
16 review a memo that was discussed in his last
17 deposition. There are also some
18 non-substantive changes or changes in his
19 deposition that he can correct. He can correct
20 them now on the record if you want to go
21 through it line by line or we can do it with an
22 errata, but we've very concerned that this be
23 accurate in all respects as best we can make
24 it. So however you want to do it is fine, but
25 we're prepared to make whatever changes.

1 MR. FISCH: I appreciate that.

2 Mr. Rifkin had mentioned last time that
3 there was a memo and that I said by all means
4 we'll look at the memo and compare it with your
5 testimony and any changes that you wish to
6 make. So do you want to through it page by
7 page, line by line, if that's good for you.

8 MR. RIFKIN: That's fine.

9 EXAMINATION

10 BY MR. FISCH:

11 Q Mr. Rifkin, you know you are still under oath?

12 A Correct. On Page 6, Line 21 the "is" should be a
13 "was."

14 Q I'm sorry? It reads "it is"?

15 A It reads "it is." It should read "it was."

16 Q Okay.

17 A On Line 9 -- I'm sorry, on Page 9, Line 2 strike the
18 second time "that" appears. It says, "I emphasize
19 that that."

20 Q Oh, yes. That's a typo.

21 A And then after "right now," insert the words "there
22 is," so that it reads "Now, I emphasize that right
23 now there is nothing more than a notice of
24 reasonable cause."

25 Q Okay.

- 1 A On line...
- 2 Q Page?
- 3 A I keep doing this. I apologize. On Page 10, Line 7
4 strike the words "the then." I'm not try to push
5 Andrew Cuomo out of the Attorney General's Office.
- 6 Q Okay.
- 7 A Same page, Line 19, between the words "opening" and
8 "investigation," insert the word "an."
- 9 Q So how should that read? "And prior to the
10 Commission on Public Integrity --
- 11 A "Opening an investigation."
- 12 Q Opening an investigation. Okay.
- 13 MR. COFFEY: A-N.
- 14 A Yes.
- 15 On Page 11, Line 1, add an S to the word
16 "Ethic," so it's the "Ethics Commission."
- 17 On Page 12, Line 14 the word "decision" should
18 be plural, "decisions." Add an S at the end of
19 "decision."
- 20 Q Okay.
- 21 A On Page 13, Line 7, here's the way it should read.
22 "After procedural issue" strike "in terms of the
23 nature." We're striking the words "in terms of the
24 nature" at that point. And then on the next line
25 after the words --

1 Q So that would read, "if I may call it the procedural
2 issue were these --

3 A "Were these conversations proper." And then after
4 proper instead of a comma, dash dash. So if you
5 read the whole sentence, "I will tell you that our
6 conversations at that time related to much more to,
7 if I may call it the procedural issue, were these
8 conversations proper -- than they were to the
9 substance of the conversations."

10 Q Okay.

11 A Page 14, Line 4, the word "we" should be "he."

12 Q Should be, "they should cease"?

13 A "He should."

14 Same page on Line 12.

15 Q What's that page again?

16 A Page 14, Line 12, between the words "or" and "a,"
17 there should be the word "reach," R-E-A-C-H. And on
18 the following line the word "conclusion" should be
19 "decision," so the sentence reads, "I don't think
20 anybody wanted to come to a legal conclusion or
21 reach a hard legal decision."

22 MR. FISCH: Off the record.

23 (A discussion was held off the record.)

24 A Page 15 on Line 22 I would put a colon rather than a
25 comma after the word "following."

1 And then on Line 24 the word "about" should be
2 "before."

3 Q "In his testimony before the Commission."

4 A "In his testimony before the Commission he said..."

5 Q All right.

6 A On Page 16, Line 4 between "that" and "in" the word
7 "statement" should be inserted. "That statement in
8 essence."

9 Same page, Page 16, Line 12, the "is" should be
10 a "was." On Line 12...

11 Q Yes.

12 A "His true belief was..."

13 Q Right.

14 A On Page 17, Line 7, several changes. The word
15 "that" should be stricken. There should be a period
16 after Hermann. The word "was" should be stricken,
17 and then "this" begins a new sentence.

18 Q Yes. Capitalized?

19 A Right.

20 Page 17, Line 22, strike the word "just."

21 Page 18, Line 16 the word "would" should be
22 "could."

23 Page 18, same page, Line 24 the word "of"
24 should be "over."

25 Page 20, Line 4, between "apparently" and "met"

1 after the comma that follows "apparently," insert
2 the word "they."

3 On Line 6 between the words "point" and
4 "presented," insert the name Hermann.

5 Q I don't think that's necessary. I think that will
6 be implicit in that. This is little more
7 substantive in terms of that. I think when -- the
8 conversation is Hermann and Lloyd, so I think that
9 will be implicit. So I don't think that's
10 necessary.

11 A Okay. I just want to be very clear.

12 Q I think that's clear.

13 A On Page 21, the word -- I'm sorry, on Line 22 the
14 word "we" should be "he."

15 On Page 22, Line 6 the words "should have"
16 should be stricken.

17 Line 8 the word "even" should be stricken.

18 Q Which word, "even"?

19 A Even.

20 Q Okay.

21 A Line 11, "Ethic's Counsel" is not capitalized.
22 There's no apostrophe.

23 Q Yes.

24 A Page 22, Line 24 the word "because" should be
25 stricken.

1 Page 26, Line 20, after "during that" and
2 before the period the word "time" should be
3 inserted.

4 Q I'm sorry. What line, Mr. Rifkin?

5 A 20. "During that time."

6 Q "During that time." The word "time"?

7 A T-I-M-E.

8 Q Oh, yes.

9 A Page 27, Line 1 the word "is" should be "was."

10 Page 27, Line 22, the word "is" should be
11 stricken.

12 Can we go off the record for a second?

13 MR. FISCH: Sure.

14 (A discussion was held off the record.)

15 A And the last change is on Page 31, Line 20, the word
16 "aspect" is plural. Add an S. And change "to" to
17 "of."

18 Q So how would that be? "Lots of different
19 aspects..."

20 A "Lots of different aspects of these investigations."

21 Q Okay. That's it.

22 Off the record.

23 (A discussion was held off the record.)

24 BY MR. FISCH:

25 Q Mr. Rifkin, thank you for these corrections. One of

1 the corrections that you pointed out on Page 28, let
2 me talk to you about that. That deals with Hermann,
3 Robert Hermann, coming to you, both telephoning you
4 and actually I think meeting with you after you had
5 brought -- you and others had brought to District
6 Attorney Soares attention the fact that you were in
7 possession of information which you felt you should
8 not have concerning the D.A.'s investigation of
9 Dopp. Is that correct so far?

10 A Correct.

11 Q And Hermann came to you, and you correct me if I'm
12 wrong, but said that the D.A. had told Teitelbaum
13 that they had this information and they also had
14 information that Teitelbaum had been the source of
15 the information via Hermann.

16 A Let me -- and you're not wrong, but let --

17 Q Of course.

18 A Let me make it clear. On Wednesday, November 7th I
19 along with Sean Maloney and Hal Lieberman, our
20 retained ethics counsel, met with the District
21 Attorney. At that meeting, and I indicated this in
22 my original testimony, we informed the District
23 Attorney that we now had knowledge of the reference
24 to him and in general the nature of the reference.
25 I did not know what the D.A. was going to do with

1 that information, but he apparently spoke with Herb
2 Teitelbaum following that meeting and informed
3 Teitelbaum of what I had revealed to him. I gather
4 Teitelbaum then told this to Bob Hermann and the
5 following day Bob Hermann came to see me.

6 Q Okay. Thank you. When you said the nature of
7 referral, the reference to him, you're talking about
8 the referral or the transmittal, because referral is
9 a word of art, the transmittal to the District
10 Attorney by the Ethics Commission, which is now the
11 Commission on Public Integrity, of allegations
12 contained in Dopp's testimony that Nocenti and Pope
13 had influenced the Dopp statement to the Attorney
14 General?

15 A Well, it was more than that.

16 Q Please.

17 A We in the Governor's Office did not know the
18 substance of Dopp's testimony to the Public
19 Integrity Commission. We knew only that he did
20 testify. So we learned from Lloyd, who had learned
21 from Bob, who had learned from Herb that Dopp in his
22 testimony before the Commission had said that the
23 so-called affidavit that he submitted to the
24 Attorney General had not been reflective of his true
25 belief at that time. So that was new information

1 that we learned. In addition to the fact, as you
2 pointed out, that Dopp's testimony to the Commission
3 was that the reason he signed that document was
4 because of the influence of Pope and Nocenti.

5 Q Now, you mentioned nobody in the Governor's Office
6 was aware of this before Constantine told you about
7 his conversation with Hermann?

8 A Let me say this.

9 Q As far as you know?

10 A As I told you in my testimony last time, we had five
11 lawyers who were dealing with this, and some more
12 who would come in and out to give us staff
13 assistance. I feel confident in saying that none of
14 us knew that. Whether somebody somewhere in the
15 Governor's Office knew about this, I doubt it, but I
16 can't say that with certainty.

17 Q Okay. And the five of you that you referenced were
18 people who were designated as liaison with the
19 Ethics Commission?

20 A No. I was the liaison with the Ethics Commission.

21 Q Okay.

22 A The other four people with whom I was working had
23 different roles. Each of us had a particular role.
24 For example, Peter Pope was the liaison to the
25 District Attorney's Office. But there were five of

1 us who fundamentally worked as a unit in dealing
2 with all of the ongoing investigations, including
3 that of the Public Integrity Commission.

4 Q And none of the five of you knew?

5 A That's correct.

6 Q Okay. This was obviously highly confidential
7 information. This involves testimony before the
8 Commission, Dopp's testimony before the Commission;
9 is that correct?

10 A Well, the -- I cited to you in my original
11 testimony, the statute that applies to
12 investigations. And the statute says that, in
13 essence, all investigations are confidential.

14 Q We're now at a point where Hermann comes to you.
15 Why don't you follow-up on that. Was it preceded
16 with a phone call, if you recall?

17 A I don't remember how we set up the meeting. Hermann
18 comes to me and he told me that Teitelbaum had
19 learned of my disclosure to the District Attorney.
20 That this had caused a rift between Hermann and
21 Teitelbaum, who had been for many years very close
22 both as professional colleagues and personal
23 friends, and that this was all very upsetting to Bob
24 Hermann. His request to me at that meeting was that
25 I not inform Dean Feerick of this information, Dean

1 Feerick being the Chairman of the Commission, that
2 Herb Teitelbaum feared for his job and that Herb
3 would go to Feerick and inform Feerick of these
4 events. And I might point out that in my original
5 testimony I confused this, for which I apologize.

6 Q That's all right.

7 A But having read the memorandum at this point, that
8 refreshed my recollection. Let me just add that I
9 pressed Bob Hermann very hard and he gave me a
10 100 percent assurance that Teitelbaum would, in
11 fact, reveal this to Feerick.

12 Q Did Hermann deny that he had been the source of this
13 information to Constantine?

14 A No.

15 Q Did he deny that Teitelbaum had provided the
16 information to him which he conveyed to Constantine?

17 A No.

18 Q When he assured you that Teitelbaum would speak to
19 Feerick, what did you understand Teitelbaum was
20 going to tell Feerick?

21 A I assumed that Teitelbaum was going to inform
22 Feerick of the fact that he had been speaking to
23 Hermann, Hermann has been speaking to Constantine,
24 and eventually the fact that these conversations had
25 has been revealed to the District Attorney.

- 1 Q In your memo you speak of -- in fact what you
2 testified to that you assured that disclosure would
3 be made to Feerick. This is Hermann. And let me
4 read from that, "Later on, Thursday afternoon,
5 Hermann called me and confirmed that Teitelbaum
6 would, in fact, reveal his leak of the information
7 to Feerick. I again said that I would therefore
8 refrain from telling Feerick directly." That is
9 accurate as you recall that conversation?
- 10 A It is.
- 11 Q And once again, no denial that Teitelbaum had
12 provided the information to Hermann or that Hermann
13 had provided such information to Constantine?
- 14 A That is correct. There was no denial.
- 15 Q And was it based upon that assurance that Teitelbaum
16 would, for lack of a better word, admit his
17 communications to Hermann that you refrained from
18 telling Feerick yourself?
- 19 A Let me answer the question this way. I had
20 information that I believed John Feerick was
21 entitled to know. I wanted Feerick to have
22 knowledge of that information. As long as I had an
23 assurance that Teitelbaum would inform Feerick, I
24 was satisfied.
- 25 Q But again, no denial of the role of either

1 Teitelbaum or Hermann communicating this
2 information?

3 A You're referring to my conversations with Bob
4 Hermann?

5 Q Yes.

6 A That is correct. There is no denial.

7 Q Okay. Did Hermann ever tell you that he had
8 inadvertently come upon this information by seeing
9 notes on a pad in Teitelbaum's apartment the night
10 before he spoke to Constantine?

11 A No.

12 Q I believe I raised that with you last time and you
13 said that was the first that you had heard of it.

14 A And that is accurate.

15 Q Do you ever talk to Hermann about this incident
16 following the assurance he gave you that Teitelbaum
17 would speak to Feerick?

18 A I don't think so.

19 Q Okay. Did you speak to Teitelbaum about this?

20 A No.

21 Q During the course of the early communications -- go
22 ahead. I'm sorry.

23 A I just want to make sure when you say "early
24 communications".

25 Q I'll elaborate.

- 1 A Okay.
- 2 Q During your examination before me on September 3rd,
3 we spoke about Constantine at some point telling you
4 that Hermann had spoken to him about things that
5 were going on at the Ethics Commission; correct?
- 6 A Correct.
- 7 Q And he told you that he was uncomfortable, you told
8 Constantine to stop having those conversations and
9 to tell Hermann not to have such conversation with
10 Teitelbaum and certainly not to, if they continue,
11 to talk to anybody in the Chamber about that.
- 12 A Yes. Just to be clear. At a meeting of this group
13 that I've described, Constantine revealed that he
14 was having these conversations with Hermann. He was
15 uncomfortable, that is Lloyd Constantine was
16 uncomfortable with these conversations. He wanted
17 to tell Hermann to stop these conversations. But he
18 raised it with the others of us in this group and we
19 agreed that that was the right thing to do.
- 20 Q Okay. During the time these conversations had been
21 taking place between Hermann and Constantine, you as
22 liaison had conversations yourself with Teitelbaum
23 concerning documents and records and so on?
- 24 A I can say only I presume I did because I don't know
25 exactly when those conversations took place. But it

1 is very likely that they took place at the same time
2 or over the course of the same time.

3 Q Did Teitelbaum ever raise with you his feeling that
4 witnesses from the Chamber called before the
5 Commission should not be represented by other
6 attorneys from the Chamber?

7 A He did raise that with me.

8 Q And was this from the beginning?

9 A Yes. My recollection is that at the time Teitelbaum
10 asked for the first witnesses from the Chamber, he
11 raised this issue of the ability of attorneys in the
12 Chamber to represent those individuals. And we and
13 I significantly disagreed with Teitelbaum's
14 position.

15 Q Constantine ever tell you that Hermann had raised
16 this issue with him in behalf of Teitelbaum?

17 A I don't believe so.

18 Q Were there also issues of whether executive
19 privilege would be raised, attorney-client privilege
20 would be asserted with your conversations with
21 Teitelbaum?

22 A Well, Teitelbaum knew that we were raising
23 attorney-client because in response to his document
24 requests I told him that we were creating a
25 privilege log. I don't believe -- my recollection

1 is that we did not assert executive privilege before
2 the Commission. We did assert attorney-client
3 privilege.

4 Q Did Constantine ever tell you that Hermann had
5 spoken to him about this, in essence that Herb says
6 you guys should not be raising this privilege or
7 that privilege with regard to either witnesses or
8 documents?

9 A I spoke directly with Teitelbaum a good deal about
10 those issues because as I said, we had quite
11 significant disagreements on those. I don't recall
12 Lloyd ever raising these issues through these
13 conversations he was having with Hermann.

14 Q Okay. When the group of five of you met, I take it
15 you discussed also these issues that you and
16 Teitelbaum had disagreed upon; privileged?

17 A Oh, we had numerous discussions among the five of us
18 on these issues. Let me be clear. There was very,
19 very strong disagreement between the Governor's
20 Office and the Public Integrity Commission on these
21 issues of privilege.

22 Q Did any one of you suggest Hermann is a good friend
23 of Teitelbaum, let's ask him to talk to Herb and
24 tell him not to be asking for all of these documents
25 and not to be raising all of these issues?

- 1 A No. We never mentioned and I certainly never
2 thought of that and I truly believe that no one else
3 among us thought of that.
- 4 Q Whether it was raised as a suggestion or not did
5 anyone ever mention that they individually had
6 spoken to Hermann about that, that Teitelbaum is
7 being unreasonable, these documents are
8 unreasonable, see what you can do?
- 9 A No.
- 10 Q In essence?
- 11 A No.
- 12 Q Just bear with me for a couple of minutes.
- 13 A Okay.
- 14 Q There were discussions whether or not, Mr. Rifkin,
15 with the Commission concerning the then Governor
16 Eliot Spitzer testifying.
- 17 A Yes. We had discussions about the former Governor
18 testifying before the Commission.
- 19 Q And who did you understand was going to represent
20 the Governor before the Commission?
- 21 A Well, once it was clear that Teitelbaum would not
22 accept anybody from the Chamber representing any
23 witnesses from the Chamber, we had no choice but to
24 tell all of our witnesses that if they wish counsel
25 they would have to get outside counsel. And so, you

- 1 know, the Governor had to get outside counsel.
- 2 Q Michele Hirshman?
- 3 A He eventually retained Michele Hirshman.
- 4 Q Do you have any recollection of when that took
5 place, roughly?
- 6 A I don't know when it took place.
- 7 Q Was there any discussion by Teitelbaum that the
8 reason he would not accept government attorneys
9 representing people from the Chamber, Executive
10 Chamber personnel, was because these attorneys might
11 themselves be witnesses summoned before the
12 Commission?
- 13 A No. The difference of opinion between Teitelbaum
14 and myself was that he said that they are testifying
15 in their personal capacities, and I said no, they
16 were testifying as Chamber employees. That they
17 were going to be asked only about conduct that
18 occurred in the Chamber and their purpose in
19 testifying was to inform the Commission of events in
20 the Chamber. And therefore, I argued that they were
21 Chamber employees. Despite my best effort
22 Mr. Teitelbaum did not agree and continued to insist
23 that they were being called in their personal
24 capacities.
- 25 Q Mr. Rifkin, you were concerned of leaks from the

1 committee, the Ethics Commission, which you
2 expressed to Teitelbaum I believe?

3 A Correct.

4 Q Do you want to expand upon that? I understand there
5 was a letter that you wrote, I don't have that, but
6 you wrote to Teitelbaum. Can you tell us about
7 that?

8 A Yes, because there were stories mainly in the New
9 York Post and mainly in the column of Fred Dicker,
10 first in which information that was internal to the
11 Commission was being reported and later with quotes
12 from people from the Commission. So it became clear
13 to us that somebody at the Commission was talking to
14 Fred Dicker.

15 Q How did the Commission and/or Teitelbaum respond to
16 that, to your concern?

17 A I mean I had several conversations with Herb over
18 this. After the column in which there was a quote
19 which undeniably came from the Commission, Herb said
20 that he recognized that the Commission had a problem
21 and it was something that he had to deal with.

22 Q There were a number of working committees or
23 subcommittees. Did he ever advise you that the
24 creation of one of the committees or its composition
25 was response to their concern about leaks?

1 A I don't recall him ever saying that. We went over
2 this to some degree in my original testimony, and my
3 recollection is that he informed me that he needed
4 to have an ongoing working relationship with his
5 commissioners as the investigation progressed and
6 that it would be extremely difficult, if not
7 impossible, to have this dialogue on a continuing
8 basis with 13 commissioners. So that they set up a
9 smaller subcommittee which would be available to
10 Herb in order to give him some direction as he went
11 forward.

12 Q Do you recall what that quote was? Not exactly, but
13 what it dealt with, the quote that appeared in
14 Dicker's column?

15 A I do not.

16 Q It had nothing to do with the information that you
17 received from Constantine about the Dopp testimony,
18 and that was never made public by the time you...

19 A No. No.

20 Q Okay.

21 MS. AMAREL: Well, I just want to
22 clarify--

23 (A discussion was held off the record.)

24 BY MR. FISCH:

25 Q I'm fairly confident I asked this, Mr. Rifkin, but

1 when Hermann asked you not to speak to Feerick, that
2 Teitelbaum would do it, Hermann never denied that he
3 was a source of information to Constantine?

4 A No, he did not deny it.

5 Q Did he admit it?

6 MS. AMAREL: Did he admit it that he was
7 the source?

8 A I don't think it came up in our conversation.
9 Because if you go back, I had informed David Soares
10 of these events. David Soares apparently called
11 Teitelbaum, who spoke with Hermann and Hermann when
12 he came in to see me told me about the problems that
13 this was creating between himself and Herb and then
14 simply made the plea that I not inform Feerick.
15 That really was the substance of our conversation.

16 Q But once again, he did not deny it, he did not say
17 he learned this inadvertently by a yellow pad or
18 anything like that?

19 A He did not deny and he did not say he learned it
20 inadvertently through a yellow pad.

21 Q Okay.

22 MR. FISCH: Jonathan, do you have
23 anything?

24 (Brief pause.)

25

1 BY MR. FISCH:

2 Q Were you ever present with Constantine when Hermann
3 spoke to you about ethics material from Teitelbaum?

4 A You mean any of these conversations that took place
5 between Bob Hermann and Lloyd Constantine?

6 Q Yes.

7 A No.

8 Q Anything you wish to add, Mr. Rifkin? I appreciate
9 you coming in and helping us clear up some of these
10 questions. Is there anything you wish to add?

11 A No.

12 MR. FISCH: Mr. Coffey?

13 MR. COFFEY: No.

14 MR. FISCH: Thank you. We are adjourning.

15 Thanks once again.

16 (Whereupon, the proceedings in the
17 above-entitled matter were adjourned at
18 12:16 p.m.)

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1 STATE OF NEW YORK)
2)
3 COUNTY OF)
4)

5 I have read the foregoing record of my
6 testimony taken at the time and place as noted
7 in the heading hereof and I do hereby
8 acknowledge it to be a true and correct
9 transcript of the same.

10
11
12 _____

13 Sworn to before me this _____
14 day of _____, 200__

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17 Notary Public
18 Commission Expires:

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C E R T I F I C A T I O N

I, Diane Daly-Gage, Shorthand Reporter and
Notary Public in and for the State of New York,
do hereby certify that the foregoing record
taken by me at the place and date noted in the
heading hereof is a true and accurate
transcript of same to the best of my ability
and belief.

Diane Daly-Gage

Dated: October 23, 2008

