

20050630000628


CHICAGO TITLE WD 21.00
PAGE001 OF 003
08/30/2005 10:09
KING COUNTY, WA

WHEN RECORDED RETURN TO
STEPHEN J. ROTELLA
1642 FEDERAL AVENUE EAST
SEATTLE, WASHINGTON 98102

E2135107

08/30/2005 09:56
KING COUNTY, WA
TAX \$87,284.00
SALE \$3,780,000.0

PAGE001 OF 001

 CHICAGO TITLE INSURANCE COMPANY

STATUTORY WARRANTY DEED 1162262-4

Dated: JUNE 13, 2005 3pgs
\$22

THE GRANTOR
JEAN ENERSEN SKINNER, A MARRIED WOMAN

for and in consideration of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to
STEPHEN J. ROTELLA AND ESTHER T. ROTELLA, HUSBAND AND WIFE

the following described real estate situated in the County of KING State of Washington:
Tax Account Number(s): 113000-0025-02

LOTS 5, 6, 7 AND 8, BLOCK 1, BROADWAY SECOND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 17, IN KING COUNTY, WASHINGTON;


AND

NORTHERLY 26.94 FEET OF LOT 12 AND ALL OF LOT 13, BLOCK 1, HOLLYWOOD, AN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 43 IN KING COUNTY, WASHINGTON;

AND

THE NORTH 50 FEET OF THAT PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING EAST OF THE EAST LINE OF BLOCK 1, HOLLYWOOD, AN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS,

SEE ATTACHED DESCRIPTION



JEAN ENERSEN SKINNER

EWD/RDA/0899

EXHIBIT A

STATE OF WASHINGTON
COUNTY OF KING

SS

ON THIS 14TH DAY OF JUNE, 2005 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED JEAN ENERSEN SKINNER KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT SHE SIGNED AND SEALED THE SAME AS HER FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES HEREIN MENTIONED.

WLS

NOTARY SIGNATURE

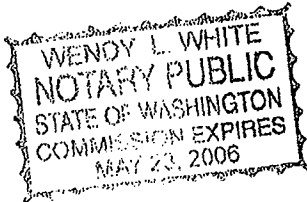
Wendy L. White

PRINTED NAME:

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT *Seattle 5:23-06*

MY COMMISSION EXPIRES ON *5:23-06*



CHICAGO TITLE INSURANCE COMPANY

Escrow No.: 1162262

EXHIBIT A

Title No.: 1162262

PAGE 43, IN KING COUNTY, WASHINGTON.

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED HEREIN.

STATE OF WASHINGTON
 County of King

I, the Director of Records & Licensing, King County, State of Washington, and certain Records of Records and other instruments do hereby certify the foregoing copy has been compared with the original instrument in the same office on the day of _____ in the office and the same is a true and correct copy of the original and of the whole thereof.

Witness my hand and official seal this _____ day of _____

 Director of Records & Licensing

 Deputy

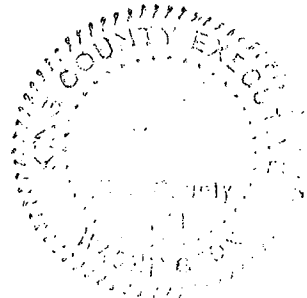
STATE OF WASHINGTON
County of King

The Director of Records & Licensing, King County, State of Washington and exofficio Recorder of Deeds and other instruments, do hereby certify the foregoing copy has been compared with the original instrument as the same appears on file and of record in the office and that the same is a true and perfect transcript of said original and of the whole thereof.

Witness my hand and official seal this _____ day
of AUG 17 2011

Director of Records & Licensing

By *April Bramham*
APRIL BRAMHAM
Deputy





AFTER RECORDING MAIL TO:

Samuel Ketcham and Sylvia Ketcham
1642 Federal Avenue East
Seattle, WA 98102

20090528000120
FIRST AMERICAN WD 43.00
PAGE001 OF 002
05/28/2009 09:18
KING COUNTY, WA

E2392168

05/28/2009 09:18
KING COUNTY, WA
TAX \$83,655.00
SALE \$4,700,000.00
PAGE001 OF 001

Filed for Record at Request of:
First American Title Insurance Company

STATUTORY WARRANTY DEED

21343

File No: **4203-1293450 (BS)**

Date: **May 05, 2009**

Grantor(s): **Stephen J. Rotella and Esther T. Rotella**

Grantee(s): **Samuel Ketcham and Sylvia Ketcham**

Abbreviated Legal: **PTN. OF LOT 12 AND ALL OF LOT 13, BLOCK 1, HOLLYWOOD ADD., VOL. 11, P. 43 AND LOTS 5-8, BLOCK 1, BROADWAY SECOND ADD., VOL. 7, P. 17, KING COUNTY.**

Additional Legal on page:

Assessor's Tax Parcel No(s): **113000-0025-02**

FIRST AMERICAN 243450

THE GRANTOR(S) Stephen J. Rotella and Esther T. Rotella, husband and wife for and in consideration of **Ten Dollars and other Good and Valuable Consideration**, in hand paid, conveys, and warrants to **Samuel Ketcham and Sylvia Ketcham, husband and wife**, the following described real estate, situated in the County of **King**, State of **Washington**.

LEGAL DESCRIPTION: Real property in the County of King, State of Washington, described as follows:

LOTS 5, 6, 7 AND 8, BLOCK 1, BROADWAY SECOND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 17, IN KING COUNTY, WASHINGTON;

AND

NORTHERLY 26.94 FEET OF LOT 12 AND ALL OF LOT 13, BLOCK 1, HOLLYWOOD, AN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 43 IN KING COUNTY, WASHINGTON;

AND

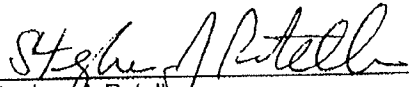
APN: 113000-0025-02

Statutory Warranty Deed
- continued

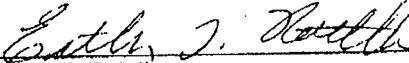
File No.: 4203-1293450 (85)
Date: 05/05/2009

THE NORTH 50 FEET OF THAT PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING EAST OF THE EAST LINE OF BLOCK 1, HOLLYWOOD, AN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 43, IN KING COUNTY, WASHINGTON.

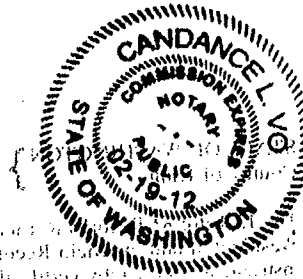
Subject To: This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.



Stephen J. Rotella



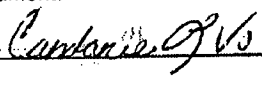
Esther T. Rotella



STATE OF Washington

COUNTY OF King

I certify that I know or have satisfactory evidence that **Stephen J. Rotella and Esther T. Rotella**, is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: May 5, 2009 

Notary Public in and for the State of Washington
Residing at: Auburn
My appointment expires: 2-19-2012

STATE OF WASHINGTON }
County of King

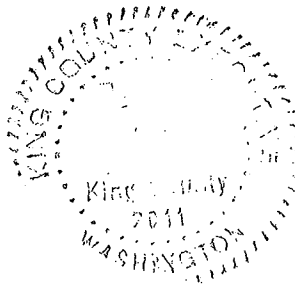
The Director of Records & Licensing, King County, State of Washington and exofficio Recorder of Deeds and other Instruments, do hereby certify the foregoing copy has been compared with the original instrument as the same appears on file and of record in the office and that the same is a true and perfect transcript of said original and of the whole thereof,

Witness my hand and official seal this _____ day
of _____

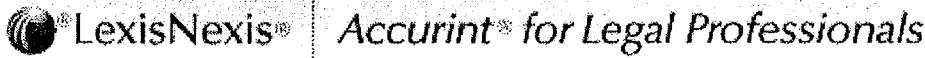
AUG 17 2011

Director of Records & Licensing

By April Branham
Deputy
APRIL BRANHAM



Comprehensive Report



Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State. The criminal record data in this product or service may include records that have been expunged, sealed, or otherwise have become inaccessible to the public since the date on which the data was last updated or collected.

Accurint does not constitute a "consumer report" as that term is defined in the federal Fair Credit Reporting Act, 15 USC 1681 et seq. (FCRA). Accordingly, Accurint may not be used in whole or in part as a factor in determining eligibility for credit, insurance, employment or another permissible purpose under the FCRA.

Your DPPA Permissible Use: Civil, Criminal, Administrative, or Arbitral Proceedings
Your GLBA Permissible Use: Use by Persons Acting in a Fiduciary Capacity on Behalf of the Consumer

Comprehensive Report

Date: 07/26/11

Report Legend:

- Shared Address
- Deceased
- Probable Current Address

Report processed by:

ReedSmith LLP
225 5th Street Avenue
Pittsburgh, PA 15219
215-851-8100 Main Phone
412-288-3063 Fax

Subject Information

(Best Information for Subject)

Name: ESTHER T ROTELLA
Date of Birth: 1952
Age: 59
SSN: issued in Texas between 1/1/1969 and 12/31/1969

AKAs

(Names Associated with Subject)

- ESTHER T ROTELLA
Age: 57 SSN:
ESTHER T READ
Age: 57 SSN:
ESTHER R TANNENBAUM
Age: 59 SSN:
ESTHER P ROTELLA
Age: 59 SSN:
ESTHER ROTELLA
Age: 59 SSN:
ESTHER S ROTELLA
Age: 59 SSN:
ESTHER T READ
Age: 59 SSN:
ESTHER READ
Age: 59 SSN:
ESTHER J ROTELLA
SSN:
ESTHER ROSE ROTELLA
SSN:
ESTHER T ROTELLA QPRT
SSN:

Indicators

Bankruptcy: No
Property: Yes
Corporate Affiliations: No

Comprehensive Report Summary:

Bankruptcies: None Found
Liens and Judgments: None Found
UCC Filings: None Found
Phones Plus:

Comprehensive Report

1 Found
People at Work:
None Found
Driver's License:
1 Found
Address(es) Found:
2 Verified and 16 Non-Verified Found
Possible Properties Owned:
13 Found
Motor Vehicles Registered:
2 Found
Possible Criminal Records:
None Found
Florida Accidents:
None Found
Professional Licenses:
None Found
Possible Associates:
None Found
Possible Relatives:
1st Degree - 3 Found
2nd Degree - None Found
3rd Degree - None Found

Address Summary:

✓ 101 CENTRAL PARK W APT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY (Dec 2009 - Jul 2011)
✓ 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY (Mar 2002 - Jun 2008)
1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY (Jun 2005 - Apr 2010)
PO BOX 600, ORIENT NY 11957-0600, SUFFOLK COUNTY (Jul 2009 - Jan 2010)
600, ORIENT NY 11957, SUFFOLK COUNTY (Jul 2009 - Sep 2009)
153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY (Aug 1991 - May 2009)
731 MCGILVRA BLVD E, SEATTLE WA 98112-5051, KING COUNTY (Sep 2005 - Sep 2006)
100 PRINGLE AVE STE 505, WALNUT CREEK CA 94596-3581, CONTRA COSTA COUNTY (Jul 2005 - Oct 2005)
7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY (Jan 1998 - Sep 2005)
205 3RD AVE APT 5C, NEW YORK NY 10003-2557, NEW YORK COUNTY (Oct 1974 - Jan 1997)
HEATHER BLOOM RD, WHITE PLAINS NY 10605, WESTCHESTER COUNTY (Sep 1992)
67 HEATHERBLOOM RD, WHITE PLAINS NY 10605-2807, WESTCHESTER COUNTY (Jul 1990 - Jan 1992)
5820 TOWHEE LN, CINCINNATI OH 45243-3510, HAMILTON COUNTY (Jan 1983 - Dec 1991)
246 ARBORS CIR, COLUMBUS OH 43230-3418, FRANKLIN COUNTY (Jun 1991)
333 E 49TH ST APT 5B, NEW YORK NY 10017-1690, NEW YORK COUNTY (Sep 1978 - Jan 1990)
22 HAZELTON DR, WHITE PLAINS NY 10605-3818, WESTCHESTER COUNTY (Sep 1984 - Jan 1988)
801 S WOOSTER ST APT, LOS ANGELES CA 90035-1709, LOS ANGELES COUNTY (Jan 1983)
1520 YORK AVE APT 26F, NEW YORK NY 10028-7012, NEW YORK COUNTY (Sep 1981 - Jan 1983)

Bankruptcies:

[None Found]

Liens and Judgments:

[None Found]

UCC Filings:

[None Found]

Phones Plus(s):

Name: ROTELLA, ESTHER
Address: 830 POQUATUCK LN, ORIENT NY 11957-1247
Phone Number: 631-323-1321 - EDT
Carrier: VERIZON NEW YORK INC - (ORIENT, NY)

People at Work:

[None Found]

Comprehensive Report

Driver's License Information:

Name: ESTHER T ROTELLA
DL Number: xxxxxxxx
State: Ohio
License Address: 153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY
DOB: [REDACTED]/1952
Potential SSN [REDACTED]
Gender: Female
Issue Date: 03/29/1995
License Class: Operator - Non Commercial
Height: 5'05
Weight: 110
Data Source: Governmental
Hair Color: Brown
Eye Color: Brown
Restrictions: Corrective Lenses

Active Address(es):

✓ 101 CENTRAL PARK W APT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY (Dec 2009 - Jul 2011)
Name Associated with Address:
ESTHER T ROTELLA

✓ 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY (Mar 2002 - Jun 2008)
Name Associated with Address:
ESTHER T ROTELLA

Property Ownership Information for this Address

Property:

Parcel Number - 473889 27.-3-4.2
Book - 12553
Page - 537
Name Owner : ROTELLA S J QPRT 2008 TRUST
Name Owner 2: ROTELLA E T QPRT 2008 TRUST
Property Address: - 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY
Owner Address: 101 CENTRAL PARK W APT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY
Land Usage - SINGLE FAMILY RESIDENTIAL
Total Market Value - \$1,642,202
Assessed Value - \$17,900
Data Source - B

Property:

Parcel Number -
Name Owner : ROTELLA, S
Property Address: - 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY
Name of Seller : ROTELLA FAMILY TRUST
Data Source - A

Previous And Non-Verified Address(es):

1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY (Jun 2005 - Apr 2010)

Name Associated with Address:

ESTHER T ROTELLA

Current Residents at Address:

SAMUEL W KETCHAM

Current phones listed at this address:

206-325-6300 KETCHAM SAM
206-329-2555 KETCHAM SAM

Property Ownership Information for this Address

Property:

Parcel Number - 113000-0025
Name Owner : KETCHAM SAMUEL
Name Owner 2: KETCHAM SYLVIA
Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 05/05/2009
Sale Price - \$4,700,000
Total Market Value - \$4,649,000
Assessed Value - \$4,649,000
Land Value - \$2,308,000

Comprehensive Report

Improvement Value - \$2,341,000
Land Size - 32,731 Square Feet
Year Built - 1909
Name of Seller : ROTELLA STEPHEN J & ESTHER T
Loan Amount - \$3,525,000
Loan Type - CONVENTIONAL
Lender Name - BANK OF AMERICA
Data Source - A

Property:

Parcel Number -
Name Owner : KETCHAM, SAMUEL & SYLVIA
Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Name of Seller : ROTELLA STEPHEN J & ESTHER T
Data Source - A

Property:

Parcel Number -
Name Owner : KETCHAM, SAMUEL & SYLVIA
Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Data Source - A

PO BOX 600, ORIENT NY 11957-0600, SUFFOLK COUNTY (Jul 2009 - Jan 2010)

Name Associated with Address:

ESTHER S ROTELLA

Current Residents at Address:

CLAIRE M ROTELLA

600, ORIENT NY 11957, SUFFOLK COUNTY (Jul 2009 - Sep 2009)

Name Associated with Address:

ESTHER T READ

153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY (Aug 1991 - May 2009)

Name Associated with Address:

ESTHER T ROTELLA

Current Residents at Address:

TERRY L SANDERS
KRISTEN JEAN SYDNEY
TARAYN E D SANDERS
KRISTEN SYDNEY KRISTEN
614-257-1012 SANDERS TERRY

Property Ownership Information for this Address

Property:

Parcel Number -
Name Owner : MW, CATLETT BETH
Property Address: - 153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY
Owner Address: 153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY
Name of Seller : ROTELLA STEPHEN J & ESTHER T
Data Source - A

Property:

Parcel Number - 020-001645
Name Owner : SANDERS TERRY L
Property Address: - 153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY
Owner Address: 2499 WYDNBEND BLVD, POWELL OH 43065-9445, DELAWARE COUNTY
Total Market Value - \$689,400
Assessed Value - \$241,290
Land Value - \$136,400
Improvement Value - \$553,000
Land Size - 16,291 Square Feet
Year Built - 1930
Data Source - A

731 MCGILVRA BLVD E, SEATTLE WA 98112-5051, KING COUNTY (Sep 2005 - Sep 2006)

Name Associated with Address:

ESTHER T ROTELLA

Current Residents at Address:

CAROL E MEDWELL
WILLIAM A FLECKENSTEIN
MELODY M FLECKENSTEIN
JACQUELINE L FLECKENSTEIN

Comprehensive Report

HOWARD S WRIGHT
NICOLE R FLECKENSTEIN

Current phones listed at this address:

206-323-4757 BAILEY CAROL E
206-588-1077 FLECKENSTEIN MELODY
206-695-2319 FLECKENSTEIN MELODY

Property Ownership Information for this Address

Property:

Parcel Number - 531710-0770
Name Owner : SANDER PROPERTIES LLC
Property Address: - 731 MCGILVRA BLVD E, SEATTLE WA 98112-5051, KING COUNTY
Owner Address: 4105 E MADISON ST STE 300, SEATTLE WA 98112-3204, KING COUNTY
Sale Price - \$2,887,602
Total Market Value - \$2,323,000
Assessed Value - \$2,323,000
Land Value - \$1,419,000
Improvement Value - \$904,000
Land Size - 9017 SF
Year Built - 1936
Data Source - B

100 PRINGLE AVE STE 505, WALNUT CREEK CA 94596-3581, CONTRA COSTA COUNTY (Jul 2005 - Oct 2005)

Name Associated with Address:

ESTHER T ROTELLA

Property Ownership Information for this Address

Property:

Parcel Number - 174-160-029
Name Owner : NORTHWESTERN MUTUAL LIFE INS
Property Address: - 100 PRINGLE AVE, WALNUT CREEK CA 94596-3583, CONTRA COSTA COUNTY
Owner Address: PO BOX 3151, MILWAUKEE WI 53201-3151, MILWAUKEE COUNTY
Assessed Value - \$50,725,087
Year Built - 1982
Data Source - B

7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY (Jan 1998 - Sep 2005)

Name Associated with Address:

ESTHER T ROTELLA

Current Residents at Address:

DONALD IMRICH BUZINKAI JR
LORA M BUZINKAI
ELIZABETH KAPP
973-822-0240 BUZINKAI DONALD

Property Ownership Information for this Address

Property:

Parcel Number -
Name Owner : NATIONAL RESIDENTIAL NOMINEE S
Property Address: - 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Owner Address: 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Name of Seller : ROTELLA STEPHAN J & ESTHER T
Data Source - A

Property:

Parcel Number -
Name Owner : BUZINKAI, DONALD I & LORA
Property Address: - 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Owner Address: 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Name of Seller : YOUNG KENDALL K & CAMILLE B
Data Source - A

205 3RD AVE APT 5C, NEW YORK NY 10003-2557, NEW YORK COUNTY (Oct 1974 - Jan 1997)

Name Associated with Address:

ESTHER R TANNENBAUM
421-0513

Property Ownership Information for this Address

Property:

Parcel Number -
Name Owner : MILLER, KEITH
Property Address: - 205 3RD AVE, NEW YORK NY 10003-2506, NEW YORK COUNTY
Owner Address: 205 3RD AVE, NEW YORK NY 10003-2506, NEW YORK COUNTY
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Comprehensive Report

Property:

Parcel Number - 0899-0001-00205-000-000001E
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 1E, NEW YORK NY 10003-2507, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000002A
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 2A, NEW YORK NY 10003-2507, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000002F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 2F, NEW YORK NY 10003-2537, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000002N
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 2N, NEW YORK NY 10003-2511, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000003B
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 3B, NEW YORK NY 10003-2537, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000003D
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 3D, NEW YORK NY 10003-2537, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000003H
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 3H, NEW YORK NY 10003-2508, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000003S
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 3S, NEW YORK NY 10003-2512, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283

Comprehensive Report

Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000003U
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 3U, NEW YORK NY 10003-2512, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000003V
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 3V, NEW YORK NY 10003-2512, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000004A
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 4A, NEW YORK NY 10003-2508, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000004B
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 4B, NEW YORK NY 10003-2508, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000004K
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 4K, NEW YORK NY 10003-2557, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000004S
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 4S, NEW YORK NY 10003-2554, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000004T
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 4T, NEW YORK NY 10003-2554, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000004U
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 4U, NEW YORK NY 10003-2554, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY

Comprehensive Report

Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000005D
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 5D, NEW YORK NY 10003-2557, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000005F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 5F, NEW YORK NY 10003-2558, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000005J
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 5J, NEW YORK NY 10003-2558, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000005S
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 5S, NEW YORK NY 10003-2513, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000005T
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 5T, NEW YORK NY 10003-2513, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000006R
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 6R, NEW YORK NY 10003-2513, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000007B
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 7B, NEW YORK NY 10003-2542, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000007G
Name Owner : AGBH GRAMERCY LLC

Comprehensive Report

Property Address: - 205 3RD AVE APT 7G, NEW YORK NY 10003-2510, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000007K
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 7K, NEW YORK NY 10003-2510, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000007R
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 7R, NEW YORK NY 10003-2555, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000007T
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 7T, NEW YORK NY 10003-2514, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000008F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 8F, NEW YORK NY 10003-2510, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000008L
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 8L, NEW YORK NY 10003-2514, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000008M
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 8M, NEW YORK NY 10003-2514, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000009D
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 9D, NEW YORK NY 10003-2546, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Comprehensive Report

Parcel Number - 0899-0001-00205-000-000009M
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 9M, NEW YORK NY 10003-2556, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000009P
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 9P, NEW YORK NY 10003-2556, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000009S
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 9S, NEW YORK NY 10003-2556, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000009T
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 9T, NEW YORK NY 10003-2556, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000009U
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 9U, NEW YORK NY 10003-2556, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000010R
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 10R, NEW YORK NY 10003-2515, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000010V
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 10V, NEW YORK NY 10003-2515, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:
Parcel Number - 0899-0001-00205-000-000011B
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 11B, NEW YORK NY 10003-2547, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS

Comprehensive Report

Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000011J
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 11J, NEW YORK NY 10003-2547, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000011T
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 11T, NEW YORK NY 10003-2538, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000012F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 12F, NEW YORK NY 10003-2525, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000012J
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 12J, NEW YORK NY 10003-2525, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000014D
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 14D, NEW YORK NY 10003-2550, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000014F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 14F, NEW YORK NY 10003-2550, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000015F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 15F, NEW YORK NY 10003-2526, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000015L
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 15L, NEW YORK NY 10003-2539, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007

Comprehensive Report

Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000015P
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 15P, NEW YORK NY 10003-2517, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000016A
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 16A, NEW YORK NY 10003-2526, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000016J
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 16J, NEW YORK NY 10003-2517, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000016M
Name Owner : AGBH GRAMERCY RENTAL LLC
Property Address: - 205 3RD AVE APT 16M, NEW YORK NY 10003-2517, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$1,452,500
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000017P
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 17P, NEW YORK NY 10003-2540, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000018C
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 18C, NEW YORK NY 10003-2527, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000018N
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 18N, NEW YORK NY 10003-2518, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000020E
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 20E, NEW YORK NY 10003-2541, NEW YORK COUNTY

Comprehensive Report

Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000020F
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 20F, NEW YORK NY 10003-2541, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000020H
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 20H, NEW YORK NY 10003-2541, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

Property:

Parcel Number - 0899-0001-00205-000-000021A
Name Owner : AGBH GRAMERCY LLC
Property Address: - 205 3RD AVE APT 21A, NEW YORK NY 10003-2552, NEW YORK COUNTY
Owner Address: 245 PARK AVE, NEW YORK NY 10167-0002, NEW YORK COUNTY
Sale Date - 04/13/2007
Sale Price - \$19,773,283
Name of Seller : SOSNOW KATE & MORRIS
Data Source - A

HEATHER BLOOM RD, WHITE PLAINS NY 10605, WESTCHESTER COUNTY (Sep 1992)

Name Associated with Address:

ESTHER T ROTELLA

67 HEATHERBLOOM RD, WHITE PLAINS NY 10605-2807, WESTCHESTER COUNTY (Jul 1990 - Jan 1992)

Name Associated with Address:

ESTHER T READ

Current Residents at Address:

JEREMY CHRISTOPHER GREINER
SHARON F RIPPS
WILLIAM E ROMANIA
914-686-0165 ROMANIA WILLIAM E

Property Ownership Information for this Address

Property:

Parcel Number -
Name Owner : ROMANIA, WILLIAM
Property Address: - 67 HEATHERBLOOM RD, WHITE PLAINS NY 10605-2807, WESTCHESTER COUNTY
Owner Address: 67 HEATHERBLOOM RD, WHITE PLAINS NY 10605-2807, WESTCHESTER COUNTY
Data Source - A

5820 TOWHEE LN, CINCINNATI OH 45243-3510, HAMILTON COUNTY (Jan 1983 - Dec 1991)

Name Associated with Address:

ESTHER R TANNENBAUM

Current Residents at Address:

GERALD DEAN ADKINS
VERNA LEE MARCUS
THEODORE ANTHONY STAYDEN

Property Ownership Information for this Address

Property:

Parcel Number -
Name Owner : GORET, RONALD
Property Address: - 5820 TOWHEE LN, CINCINNATI OH 45243-3510, HAMILTON COUNTY
Owner Address: 5820 TOWHEE LN, CINCINNATI OH 45243-3510, HAMILTON COUNTY
Name of Seller : STAYDEN JULIUS P
Data Source - A

246 ARBORS CIR, COLUMBUS OH 43230-3418, FRANKLIN COUNTY (Jun 1991)

Comprehensive Report

Name Associated with Address:

ESTHER T ROTELLA

Current Residents at Address:

JESSICA M ABEL GIBLIN
SKYLER T DUNCAN
KAYLIN M WARNER

333 E 49TH ST APT 5B, NEW YORK NY 10017-1690, NEW YORK COUNTY (Sep 1978 - Jan 1990)

Name Associated with Address:

ESTHER R TANNENBAUM

Property Ownership Information for this Address

Property:

Parcel Number -

Name Owner : 330 EAST 50TH PARTNERS LP

Property Address: - 333 E 49TH ST, NEW YORK NY 10017-1680, NEW YORK COUNTY

Owner Address: 417 5TH AVE FL 4, NEW YORK NY 10016-2239, NEW YORK COUNTY

Data Source - A

22 HAZELTON DR, WHITE PLAINS NY 10605-3818, WESTCHESTER COUNTY (Sep 1984 - Jan 1988)

Name Associated with Address:

ESTHER T ROTELLA

Current Residents at Address:

BENJIE ELLEN SCHILLER
LESTER B BRONSTEIN
LIBA M BRONSTEIN
JONATHAN S BRONSTEIN

Current phones listed at this address:

914-683-5069 BRONSTEIN L
772-1521

Property Ownership Information for this Address

Property:

Parcel Number - 551700 137.08-9-2

Name Owner : BRONSTEIN, LESTER B

Property Address: - 22 HAZELTON DR, WHITE PLAINS NY 10605-3818, WESTCHESTER COUNTY

Owner Address: 22 HAZELTON DR, WHITE PLAINS NY 10605-3818, WESTCHESTER COUNTY

Total Market Value - \$11,325

Assessed Value - \$11,725

Year Built - 1930

Data Source - B

801 S WOOSTER ST APT, LOS ANGELES CA 90035-1709, LOS ANGELES COUNTY (Jan 1983)

Name Associated with Address:

ESTHER R TANNENBAUM

1520 YORK AVE APT 26F, NEW YORK NY 10028-7012, NEW YORK COUNTY (Sep 1981 - Jan 1983)

Name Associated with Address:

ESTHER R TANNENBAUM

Property Ownership Information for this Address

Property:

Parcel Number -

Name Owner : TRIMIS, GEORGE

Property Address: - 1520 YORK AVE, NEW YORK NY 10028-7008, NEW YORK COUNTY

Owner Address: 1520 YORK AVE, NEW YORK NY 10028-7008, NEW YORK COUNTY

Data Source - A

Possible Properties Owned by Subject:

Property:

Parcel Number - 113000-0025

Name Owner : KETCHAM SAMUEL

Name Owner 2: KETCHAM SYLVIA

Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY

Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY

Sale Date - 05/05/2009

Sale Price - \$4,700,000

Total Market Value - \$4,649,000

Assessed Value - \$4,649,000

Land Value - \$2,308,000

Improvement Value - \$2,341,000

Comprehensive Report

Land Size - 32,731 Square Feet
Year Built - 1909
Name of Seller : ROTELLA STEPHEN J & ESTHER T
Loan Amount - \$3,525,000
Loan Type - CONVENTIONAL
Lender Name - BANK OF AMERICA
Data Source - A

Property:

Parcel Number - 473889 27.-3-4.2
Book - 12553
Page - 537
Name Owner : ROTELLA S J QPRT 2008 TRUST
Name Owner 2: ROTELLA E T QPRT 2008 TRUST
Property Address: - 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY
Owner Address: 101 CENTRAL PARK W APT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY
Land Usage - SINGLE FAMILY RESIDENTIAL
Total Market Value - \$1,642,202
Assessed Value - \$17,900
Data Source - B

Property:

Parcel Number - 1123-0029-00101-000-000016G
Name Owner : ROTELLA ESTHER T
Property Address: - 101 CENTRAL PARK W UNIT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 12/16/2009
Sale Price - \$4,100,000
Name of Seller : ZIMMERMAN JAMIE R
Data Source - A

Property:

Parcel Number - 1123-0029-00101-000-000016G
Name Owner : ROTELLA, ESTHER T & STEPHEN J
Property Address: - 101 CENTRAL PARK W UNIT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 12/16/2009
Sale Price - \$4,100,000
Name of Seller : ZIMMERMAN JAMIE R
Data Source - A

Property:

Parcel Number - 113000-0025
Name Owner : KETCHAM, SAMUEL & SYLVIA
Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 05/05/2009
Sale Price - \$4,700,000
Name of Seller : ROTELLA STEPHEN J & ESTHER T
Loan Amount - \$3,525,000
Loan Type - CONVENTIONAL
Data Source - A

Property:

Parcel Number - 113000-0025
Name Owner : ROTELLA STEPHEN J
Name Owner 2: ROTELLA ESTHER T
Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 06/13/2005
Sale Price - \$3,780,000
Total Market Value - \$5,402,000
Assessed Value - \$5,402,000
Land Value - \$2,482,000
Improvement Value - \$2,920,000
Land Size - 32,731 Square Feet
Year Built - 1909
Name of Seller : SKINNER JEAN E
Loan Amount - \$2,000,000
Loan Type - CONVENTIONAL

Comprehensive Report

Lender Name - GREENPOINT MTG FNDG
Data Source - A

Property:

Parcel Number - 890.27 00.03 000.040 02
Book - 12553
Page - 537
Name Owner : QPRT ROTELLA S J 2008
Name Owner 2: QPRT ROTELLA E T 2008
Property Address: - 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 04/28/2008
Land Usage - SFR
Total Market Value - \$1,688,679
Assessed Value - \$17,900
Land Size - 217,800 Square Feet
Name of Seller : ROTELLA E
Data Source - A

Property:

Parcel Number - 890.27 00.03 000.040 02
Book - 12553
Page - 537
Name Owner : ESTHER T ROTELLA QPRT 08
Property Address: - 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY
Sale Date - 04/28/2008
Name of Seller : ROTELLA E
Data Source - A

Property:

Parcel Number - 890.27 00.03 000.040 02
Book - 12553
Page - 537
Name Owner : ESTHER T ROTELLA QPRT 08
Property Address: - 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY
Sale Date - 04/28/2008
Name of Seller : ROTELLA E
Data Source - A

Property:

Parcel Number - 113000-0025
Name Owner : ROTELLA, STEPHEN J & ESTHER T
Property Address: - 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Owner Address: 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY
Sale Date - 05/04/2007
Loan Amount - \$500,000
Loan Type - CONVENTIONAL
Data Source - A

Property:

Parcel Number - 17-04805-0000-00009
Book - 6375
Page - 177
Name Owner : NATIONAL RESIDENTIAL NOMINEE S
Property Address: - 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Owner Address: 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Sale Date - 05/21/2005
Sale Price - \$2,205,000
Name of Seller : ROTELLA STEPHAN J & ESTHER T
Data Source - A

Property:

Parcel Number - 17-04805-0000-00009
Book - 4714
Page - 215
Name Owner : ROTELLA STEPHEN J
Name Owner 2: ROTELLA ESTHER T
Property Address: - 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Owner Address: 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY
Sale Date - 01/07/1998

Comprehensive Report

Sale Price - \$925,000
Land Usage - SFR
Assessed Value - \$993,200
Land Size - 17,598 Square Feet
Year Built - 1990
Name of Seller : BERENS RONALD J & KATHRYN M
Loan Amount - \$647,500
Loan Type - CONVENTIONAL
Lender Name - CHASE MANHATTAN MTG
Data Source - A

Property:

Parcel Number - 200001645
Name Owner : MW, CATLETT BETH
Property Address: - 153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY
Owner Address: 153 S DAWSON AVE, COLUMBUS OH 43209-1730, FRANKLIN COUNTY
Sale Date - 01/05/1998
Sale Price - \$587,500
Name of Seller : ROTELLA STEPHEN J & ESTHER T
Data Source - A

Motor Vehicles Registered To Subject:

Vehicle:

Description: 2007 Audi A6 - Sedan 4 Door
VIN: WAUDH74F87N083754
State Of Origin: NEWYORK
Engine: 6 Cylinder 191 Cubic Inch
Anti Lock Brakes: 4 wheel standard
Air Conditioning: Standard
Daytime Running Lights: Optional
Power Steering: Standard
Power Brakes: Standard
Power Windows: Standard
Security System: Keyless Entry and Alarm
Roof: None / not available
Price: 45100
Radio: AM/FM CD
Front Wheel Drive: No
Four Wheel Drive: Yes
Tilt Wheel: Standard

Registrant(s)

Record Type: CURRENT
Name: ESTHER ROSE ROTELLA
Potential SSN [REDACTED]
Address: 101 CENTRAL PARK W APT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY
DOB: 4/xx/1952
Sex: Female
Age: 59
Tag Number: EXJ4678
License State: NY
Earliest Registration Date: 1/22/2010
Latest Registration Date: 1/22/2010
Expiration Date: 1/21/2012
License Plate Type: Private

Vehicle:

Description: 2007 Audi A6 - Sedan 4 Door
VIN: WAUDH74F87N083754
State Of Origin: NEWYORK
Engine: 6 Cylinder 191 Cubic Inch
Anti Lock Brakes: 4 wheel standard
Air Conditioning: Standard
Daytime Running Lights: Optional
Power Steering: Standard
Power Brakes: Standard
Power Windows: Standard

Comprehensive Report

Security System: Keyless Entry and Alarm
Roof: None / not available
Price: 45100
Radio: AM/FM CD
Front Wheel Drive: No
Four Wheel Drive: Yes
Tilt Wheel: Standard

Owner(s)

Name: ESTHER ROSE ROTELLA
Potential SSN: [REDACTED]
Address: 101 CENTRAL PARK W APT 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY
DOB: 4/xx/1952
Sex: Female
Age: 59
Title Issue Date: 4/2/2010

Lien Holder(s)

None

Possible Criminal Records:

[None Found]

Florida Accidents:

[None Found]

Professional License(s):

[None Found]

Possible Associates:

[None Found]

Possible Relative Summary:

- > STEPHEN JOHN ROTELLA , Age 58
 - >> STEVE ROTELLA - (AKA), Age 58
 - >> STEPHEN J OTELLA - (AKA), Age 58
 - >> STEPHEN J BOTELLA - (AKA), Age 58
 - >> STEVEN ROTELLA - (AKA), Age 58
 - >> STEPHAN J ROTELLA - (AKA), Age 58
 - >> STEPHEN J ROTELLA QPRT - (AKA), Age 58
- > CLAIRE M ROTELLA , Age 25
- > ADRIENNE G ROTELLA , Age 22

Possible Relatives:

STEPHEN JOHN ROTELLA DOB: [REDACTED]/1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970
Names Associated with Relative:
STEVE ROTELLA DOB: [REDACTED]/1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970
STEPHEN J OTELLA DOB: [REDACTED]/1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970
STEPHEN J BOTELLA DOB: [REDACTED] 1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970
STEVEN ROTELLA DOB: [REDACTED]/1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970
STEPHAN J ROTELLA DOB: [REDACTED]/1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970
STEPHEN J ROTELLA QPRT DOB: [REDACTED]/1953 Age: 58
[REDACTED] issued in New York between 1/1/1969 and 12/31/1970

Active Address(es):

- ✓ 101 CENTRAL PARK W # 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY (Jun 2008 - May 2011)
 - ✓ 830 POQUATUCK LN, ORIENT NY 11957-1247, SUFFOLK COUNTY (Mar 2002 - Aug 2009)
- Previous And Non-Verified Address(es):**
- PO BOX 600, ORIENT NY 11957-0600, SUFFOLK COUNTY (Jul 2009 - Jan 2010)
- Current Residents at Address:**

Comprehensive Report

CLAIRE M ROTELLA

§ 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY (Jun 2005 - Dec 2009)

Current Residents at Address:

SAMUEL W KETCHAM

Current phones listed at this address:

206-325-6300 KETCHAM SAM

206-329-2555 KETCHAM SAM

§ 600, ORIENT NY 11957, SUFFOLK COUNTY (Jul 2009 - Aug 2009)

§ 731 MCGILVRA BLVD E, SEATTLE WA 98112-5051, KING COUNTY (Jul 2005 - Aug 2006)

Current Residents at Address:

CAROL E MEDWELL

WILLIAM A FLECKENSTEIN

MELODY M FLECKENSTEIN

JACQUELINE L FLECKENSTEIN

HOWARD S WRIGHT

NICOLE R FLECKENSTEIN

Current phones listed at this address:

206-323-4757 BAILEY CAROL E

206-588-1077 FLECKENSTEIN MELODY

206-695-2319 FLECKENSTEIN MELODY

§ 100 PRINGLE AVE STE 505, WALNUT CREEK CA 94596-3581, CONTRA COSTA COUNTY (Jul 2005 - Jan 2006)

§ 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY (Jan 1998 - Sep 2005)

Current Residents at Address:

DONALD IMRICH BUZINKAI JR

LORA M BUZINKAI

ELIZABETH KAPP

973-822-0240 BUZINKAI DONALD

§ 22 HAZELTON DR, WHITE PLAINS NY 10605-3818, WESTCHESTER COUNTY (Jan 1986 - Aug 2004)

Current Residents at Address:

BENJIE ELLEN SCHILLER

LESTER B BRONSTEIN

LIBA M BRONSTEIN

JONATHAN S BRONSTEIN

914-683-5069 BRONSTEIN L

343 THORNALL ST, EDISON NJ 08837-2206, MIDDLESEX COUNTY (Sep 2002)

Current phones listed at this address:

732-205-9494 CAFE METRO LLC

732-548-1060 FUJITSU CONSULTING

732-494-7303 GALE & WENTWORTH

CLAIRE M ROTELLA DOB: [REDACTED]/1986 Age: 25

[REDACTED] issued in New York between 1/1/1987 and 12/31/1988

Active Address(es):

§ ✓ 101 CENTRAL PARK W, NEW YORK NY 10023-4250, NEW YORK COUNTY (Jun 2010)

Previous And Non-Verified Address(es):

207 W 11TH ST APT 4A-W, NEW YORK NY 10014-2209, NEW YORK COUNTY (Sep 2009 - May 2011)

324 W 14TH ST APT 4A-W, NEW YORK NY 10014-5003, NEW YORK COUNTY (Oct 2008 - May 2011)

§ PO BOX 600, ORIENT NY 11957-0600, SUFFOLK COUNTY (Sep 2009 - Apr 2011)

Current Residents at Address:

CLAIRE M ROTELLA

§ 600, ORIENT NY 11957, SUFFOLK COUNTY (Sep 2009)

§ 1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY (Apr 2006 - Oct 2008)

Current Residents at Address:

SAMUEL W KETCHAM

Current phones listed at this address:

206-325-6300 KETCHAM SAM

206-329-2555 KETCHAM SAM

§ 7 INDEPENDENCE CT, MADISON NJ 07940-2366, MORRIS COUNTY

Current Residents at Address:

Comprehensive Report

DONALD IMRICH BUZINKAI JR
LORA M BUZINKAI
ELIZABETH KAPP

Current phones listed at this address:
973-822-0240 BUZINKAI DONALD
973-360-9699

ADRIENNE G ROTELLA DOB: [REDACTED]/1989 Age: 22
[REDACTED] issued in New York between 1/1/1990 and 12/31/1991

Active Address(es):

✓ 101 CENTRAL PARK W # 16G, NEW YORK NY 10023-4250, NEW YORK COUNTY (Dec 2009 - May 2011)

Previous And Non-Verified Address(es):

PO BOX 600, ORIENT NY 11957-0600, SUFFOLK COUNTY (Aug 2009 - Jan 2010)

Current Residents at Address:

CLAIRE M ROTELLA

600, ORIENT NY 11957, SUFFOLK COUNTY (Aug 2009)

1642 FEDERAL AVE E, SEATTLE WA 98102-4235, KING COUNTY (Aug 2008 - Aug 2009)

Current Residents at Address:

SAMUEL W KETCHAM

Current phones listed at this address:

206-325-6300 KETCHAM SAM
206-329-2555 KETCHAM SAM

Westlaw.

APN: 113000-0025

Page 1

Real Property Transaction Record

Source Information

Filings Current Through: 07/06/2011
County Last Updated: 07/14/2011
Frequency of Update: WEEKLY
Current Date: 07/21/2011
Source: COUNTY AUDITOR, KING, WASHINGTON

Owner Information

Owner(s): KETCHAM SAMUEL & SYLVIA
Owner Relationship: HUSBAND AND WIFE
Absentee Owner: SITUS FROM SALE (OCCUPIED)
Additional Owner #1: KETCHAM SAMUEL
Owner Relationship: HUSBAND/WIFE
Additional Owner #2: KETCHAM SYLVIA
Property Address: 1642 FEDERAL AVE E
SEATTLE, WA 98102-4235
Mailing Address: 1642 FEDERAL AVE E
SEATTLE, WA 98102-4235

Property Information

County: KING
Assessor's Parcel Number: 113000-0025
Property Type: SINGLE FAMILY RESIDENCE - TOWNHOUSE
Land Use: SINGLE FAMILY RESIDENCE
Building Square Feet: 10320

Transaction Information

Transaction Date: 05/05/2009
Seller Name: ROTELLA STEPHEN J & ESTHER T
Sale Price: \$4,700,000.00
Deed Type: GRANT DEED
Document Type: WARRANTY DEED
Type of Transaction: RESALE
Mortgage Amount: \$3,525,000.00

EXHIBIT D

Mortgage Type: CONVENTIONAL
Mortgage Term: 30 YEARS
Mortgage Deed Type: DEED OF TRUST
Mortgage Date: 05/22/2009
Mortgage Due Date: 06/01/2039
Interest Rate: ADJUSTABLE INT RATE LOAN
Lender Name: BANK OF AMERICA
Lender Address: 21000 NW EVERGREEN PKWY HILLSBORO, OR 97124-7121
Recording Date: 05/28/2009
Document Number: 200905280120
Title Company: FIRST AMERICAN TITLE
Construction Type: SALE IS A RE-SALE
Purchase Payment: MORTGAGE

TAX ASSESSOR RECORD is available for this property. The record contains information from the office of the local real property tax assessor office. In addition to identifying the current owner, the record may include tax assessment information, the legal description, and property characteristics. Additional charges may apply.

TRANSACTION HISTORY REPORT is available for this property. The report contains details about all available transactions associated with this property. The report may include information about sales, ownership transfers, refinances, construction loans, 2nd mortgages, or equity loans based on recorded deeds. Additional charges may apply.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387)
for on-site manual retrieval of documents related to this or other matters.
Additional charges apply.

END OF DOCUMENT

ESTHER T ROTELLA 990725798

Voter Details

Properties

Flags/Misc

Notices

County Info | State Info | SVI |

Voter ID: 990725798

Status: INACTIVE

Reason: POSTAGE DUE CARD INACTIVE

Affidavit:

Sig: 990967450

Auto Sig:

DMV Lic: [REDACTED] SSN: [REDACTED]

Residence

House#: 1642

Frac: /

Dir:

Street: FEDERAL

Type: AVE

Post Dir: E

Bldg:

Apt:

City: SEATTLE

Zip: 98102

Precinct: 2009.008

Manual:

Addtl. Res. Address

Name: | Prior Name | Alternate Name |

Name

Prefix

First: ESTHER

Middle: T

Last: ROTELLA

Suffix:

Birth Date: [REDACTED] 1982

Mailing

Care of:

Street/Ex:

Mail City:

Mail ST:

MZip:

Country:

Addtl. Mail Address

Print

Ok

Cancel

ESTHER TROTTELLA 99072579B

Water Details

Properties

Flags/Misc

Notices

Preferences/Traits

NYPA/V Notices

Birth Plc: [REDACTED]

Source: MOTOR VOTER

Party: NONPARTISAN

Delivery: IN PERSON

Language: ENGLISH

Reg By: By Mail

Gender: F

Notify County

Occupatn:

Race:

Contact Info

Dates

Unlisted

Phone 1: [REDACTED] ext. [REDACTED]

Sig Date

Reg Date: 08/05/2005

Phone 2: [REDACTED] ext. [REDACTED]

Recvd: 08/19/2005

Orig Reg: 08/05/2005

E Mail:

Trans: 09/09/2010 22:01:32

Print

Ok

Cancel

Precinct

Precinct Details

District Inventory

#	TYPE	NUMBER	SUB	NAME	NAME 2	CONTACT	PHONE 1	DISTRICT IC
1	CG	7	0	CONGRESSIONAL DISTRICT NO. 7			000	16
2	LG	43	0	LEGISLATIVE DISTRICT NO. 43			000	105
3	CI	33	0	CITY OF SEATTLE		CAROL SHE	206684834	51
4	CC	4	0	COUNTY COUNCIL DISTRICT NO. 4			000	4
5	SCH	1	0	SEATTLE SCHOOL DISTRICT NO. 1			206252004	132
6	KC	99	0	METROPOLITAN KING COUNTY				93
7	JU	92	0	WEST ELECTORAL DISTRICT			000	92
8	PS	1	0	PORT OF SEATTLE		DONNA WY	2067873211	126
9	DD	3000	0	DIRECTOR DISTRICT NO. 3	SCHOOL DISTRICT 1		000	2807
10	RTA	566	0	REGIONAL TRANSPORTATION AUTHORITY			000	6336

Precinct Number: 2008.008

NOTARIZED/CERTIFIED COPY

The undersigned does hereby certify that the attached copy of the voter registration information for **Esther T Rotella** is a true and correct copy of the voter registration record maintained in the King County Elections Voter Registration Database as of the date listed on the record.

Given under my hand on this 18th day of August, 2011.

Jacqueline Timmons
[name] Program Manager of Voter Services
[title]

SIGNED AND SWORN TO (or affirmed) before me on August 18, 2011 by

Jacqueline Timmons



Diana Sutherland
NOTARY PUBLIC in and for the State
of Washington, Residing at King County
Kent Washington
(Printed or Stamped Name of Notary)
My appointment expires 6/4/15

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The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE FEDERAL DEPOSIT INSURANCE
CORPORATION, AS RECEIVER OF
WASHINGTON MUTUAL BANK,

Plaintiff,

v.

KERRY K. KILLINGER, STEPHEN J.
ROTELLA, DAVID C. SCHNEIDER,
LINDA C. KILLINGER, and ESTHER T.
ROTELLA,

Defendants.

Case No. 2:11-cv-00459 MJP

DEFENDANT ESTHER T. ROTELLA'S
OBJECTIONS TO THE FDIC'S FIRST
SET OF JURISDICTIONAL
INTERROGATORIES

DEFENDANT ESTHER T. ROTELLA'S OBJECTIONS
TO THE FDIC'S FIRST SET OF JURISDICTIONAL
INTERROGATORIES
CASE No. 2:11-cv-00459 MJP

SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, New York 10017
-and-
1999 Avenue of the Stars, 29th Floor
Los Angeles, California 90067

DAVIS WRIGHT TREMAINE LLP
1201 Third Avenue, Suite 2200
Seattle, Washington 98101
Tel.: (206) 622-3150
Fax: (206) 757-7700

EXHIBIT F

1 Pursuant to Rule 33 of the Federal Rules of Civil Procedure (the "Federal Rules") and the
2 Local Rules of the United States District Court for the Western District of Washington (the
3 "Local Rules"), Defendant Esther T. Rotella ("Defendant"), by and through her undersigned
4 counsel, hereby submits the following objections to the FDIC's First Set of Jurisdictional
5 Interrogatories (the "Jurisdictional Interrogatories"). Defendant objects to the Interrogatories as
6 follows.

7 **GENERAL OBJECTIONS**

8 The following General Objections apply to each of the interrogatories propounded by the
9 FDIC and shall have the same force and effect as if set forth in full in response to each of the
10 separately numbered interrogatories and are incorporated by reference in each of the specific
11 responses and objections set forth below. The individual objections are made without waiver of,
12 and subject to, these General Objections.

13 1. Defendant objects to the Jurisdictional Interrogatories for the reasons set forth in
14 Defendant's Motion to Dismiss filed July 1, 2011. Because Plaintiff has failed to plead any facts
15 showing that the Court has jurisdiction over Defendant, discovery is not appropriate. In this
16 regard, although the discovery has been cast as "jurisdictional," the requests seek information
17 concerning the merits of the FDIC's case against Defendant. Given that, as set forth in the
18 pending motion to dismiss, the Complaint ("Compl.") (Dkt. No. 1) fails to sufficiently plead a
19 claim against Defendant, the request for basic merits discovery provides further support that the
20 FDIC lacked a valid basis to sue Defendant in the first place.

21 2. Defendant objects to all definitions and Jurisdictional Interrogatories to the
22 extent they are inconsistent with, or beyond those contemplated by, the Federal Rules, the Local
23 Rules, and any other applicable rule or law. Defendant will construe and respond to the
24 Interrogatories in accordance with the requirements of the Federal Rules, the Local Rules, and
25 any other applicable rule or law.

1 3. Defendant objects to the definitions and Jurisdictional Interrogatories to the
2 extent they seek information that is neither relevant to the claims and defenses in the action nor
3 reasonably calculated to lead to the discovery of admissible evidence.

4 4. Defendant objects to the definitions and Jurisdictional Interrogatories to the
5 extent they purport to require disclosure of information that is subject to any privilege, immunity
6 or obligation of confidentiality, including, without limitation, the attorney-client privilege, the
7 attorney work product doctrine, and the common interest doctrine. Specific objections on the
8 grounds of privilege are provided for emphasis and clarity only, and the absence of a specific
9 objection should not be interpreted as evidence that Defendant does not object to an interrogatory
10 on the basis of an applicable privilege.

11 5. Defendant objects to the definitions and Jurisdictional Interrogatories to the
12 extent they purport to require disclosure of information that is protected from disclosure by any
13 constitutional, statutory, or common law right of privacy, or any other applicable privilege,
14 immunity, or protection.

15 6. Any inadvertent disclosure of any privileged or private information to the FDIC
16 shall not be deemed or construed to constitute a waiver of any privilege, any other doctrine
17 against disclosure, or Defendant's right to object to the use of any information inadvertently
18 disclosed. Defendant has not previously waived any applicable privilege and specifically states
19 that she does not intend to do so through the disclosure of any information in response to the
20 Interrogatories.

21 7. Defendant objects to the definitions and Jurisdictional Interrogatories to the
22 extent they are vague, ambiguous, overbroad, oppressive, and unduly burdensome.

23 8. Defendant objects to the definitions and Jurisdictional Interrogatories to the
24 extent they are unreasonably cumulative or duplicative.

25 9. Defendant expressly reserves all further objections that may be available to her at
26 any hearing or trial or on any motion as to the relevance and admissibility of the information
27

1 sought, as well as the right to object to further discovery relating to the subject matter of any
2 information sought.

3 **RESPONSES TO INTERROGATORIES**

4 **INTERROGATORY NO. 1:**

5 Identify all persons with knowledge or information relating to the allegations against You
6 in the Complaint and your defenses to those allegations.

7 **RESPONSE NO. 1:**

8 In addition to the General Objections stated above, which are incorporated herein by this
9 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
10 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
11 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
12 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
13 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
14 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
15 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
16 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
17 personal jurisdiction over each of the defendants named in this action pursuant to [RCW
18 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
19 transacted any business within Washington, committed a tortious act within Washington, or
20 owned, used, or possessed property in Washington—much less allege causes of action arising
21 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
22 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
23 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
24 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
25 omitted).

1 In short, Defendant objects to Interrogatory No. 1 because a plaintiff may not, as the
2 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
3 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
4 481 (9th Cir. 1984) (affirming District Court's denial of 12(b)(2) discovery where no factual
5 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
6 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) ("finding only bare allegations
7 of jurisdiction," the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
8 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev'd on other grounds*,
9 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
10 to conduct discovery to demonstrate jurisdiction). "As a rule, a plaintiff is not entitled to
11 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
12 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
13 place the factual basis for personal jurisdiction in issue." *In re Teligent, Inc.*, Nos. 01-12974
14 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
15 discovery until the plaintiff pleads "legally sufficient, *non-conclusory* allegations" (emphasis
16 supplied)).

17 Defendant further objects to Interrogatory No. 1 on the grounds that it is neither relevant
18 to jurisdiction nor reasonably calculated to lead to the discovery of admissible evidence relevant
19 to jurisdiction. Instead, Interrogatory No. 1 is an improper request for merits discovery.
20 "[T]raditionally [a court will] stay merits-related discovery in cases, such as this one, where a
21 motion to dismiss is pending on a threshold issue." *Zovo Lingerie Co., LLC v. DMH Enters.,*
22 *Inc.*, No. 2:08-CV-00393, 2008 WL 2776623, at *1 (W.D. Wash. June 18, 2008) (staying
23 discovery pending the Court's ruling on defendants' motion to dismiss for lack of personal
24 jurisdiction). *See also 1st Tech. LLC v. Bodog Entm't Group*, No. C08-0872 (JCC), 2009 WL
25 426605, at *2 (W.D. Wash. Feb. 19, 2009) (finding "Defendants' delay in responding to the
26 Discovery Requests until the Court ruled on the Motion to Dismiss was substantially justified by
27

1 their concerns about the appropriateness of participating in merits-based discovery before
2 jurisdictional issues had been resolved”).

3 As the Ninth Circuit explained in *Little v. City of Seattle*, a stay of discovery until a
4 dispositive, threshold issue is decided “furthers the goal of efficiency for the court and litigants.”
5 863 F.2d 681, 685 (9th Cir. 1988) (affirming stay of discovery until immunity issue was
6 decided). “Defendants should not bear the extreme burden and expense of substantive discovery
7 until the Court rules on whether, or in what district, Plaintiff may proceed with this action.”
8 *Zovo Lingerie*, 2008 WL 2776623, at *1. See also *Stienmier v. Donley*, No. 09-CV-01260
9 (KMT-BNB), 2010 WL 1576714, at *1 (D. Colo. Apr. 20, 2010) (“subjecting a party to
10 discovery when a motion to dismiss based on a jurisdictional defense is pending constitutes an
11 undue burden or expense if the motion to dismiss is later granted”). This is particularly true
12 where, as here, the discovery sought is comprehensive and burdensome. See *Johnson v. NYU*
13 *School of Educ.*, 205 F.R.D. 433, 434 (S.D.N.Y. 2002) (staying discovery until resolution of
14 motion to dismiss where discovery sought consisted of “an extensive set of interrogatories . . .
15 that asks for information covering a span of more than five years”).

16 Defendant further objects to Interrogatory No. 1 on the grounds that it is vague and
17 ambiguous in the use of “knowledge or information relating to the allegations against You in the
18 Complaint and your defenses to those allegations.” Defendant further objects to Interrogatory
19 No. 1 on the grounds that it is overly broad, unduly burdensome, irrelevant, and does not specify
20 the response sought with sufficient particularity because the interrogatory could encompass any
21 person who has read a news article or otherwise learned of the allegations in the Complaint.

22 Based on the foregoing objections and the General Objections above, Defendant will not
23 respond to this interrogatory.

24 **INTERROGATORY NO. 2:**

25 Identify by street address, city, and state, all places where you resided from January 1,
26 2005 to the present and identify the time periods during which you resided in each of those
27

1 locations. If you resided in more than one location during any of these time periods, please
2 indicate the approximate percentage of time you spent in each residence.

3 **RESPONSE NO. 2:**

4 In addition to the General Objections stated above, which are incorporated herein by this
5 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
6 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
7 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
8 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
9 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
10 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
11 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
12 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
13 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
14 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
15 transacted any business within Washington, committed a tortious act within Washington, or
16 owned, used, or possessed property in Washington—much less allege causes of action arising
17 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
18 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
19 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
20 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
21 omitted).

22 In short, Defendant objects to Interrogatory No. 2 because a plaintiff may not, as the
23 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
24 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
25 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual
26 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
27 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations

1 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
2 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev'd on other grounds*,
3 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
4 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
5 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
6 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
7 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
8 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
9 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
10 supplied)).

11 Defendant further objects to this interrogatory as compound, overly broad, unduly
12 burdensome, and irrelevant to the allegations pled in the Complaint.

13 Based on the foregoing objections and the General Objections above, Defendant will not
14 respond to this interrogatory.

15 **INTERROGATORY NO. 3:**

16 Identify all facts, documents and communications relating to the transfer of (a) Your
17 undivided 50% interest in Your Orient, New York residence to the Esther T. Rotella Qualified
18 Personal Residence Trust dated March 14, 2008, and (b) Stephen J. Rotella’s Undivided 50%
19 interest in Your Orient, New York residence to the Stephen J. Rotella Qualified Personal
20 Residence Trust dated March 14, 2008.

21 **RESPONSE NO. 3:**

22 In addition to the General Objections stated above, which are incorporated herein by this
23 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
24 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
25 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
26 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
27 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying

1 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
 2 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
 3 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
 4 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
 5 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
 6 transacted any business within Washington, committed a tortious act within Washington, or
 7 owned, used, or possessed property in Washington—much less allege causes of action arising
 8 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
 9 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
 10 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
 11 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
 12 omitted).

13 In short, Defendant objects to Interrogatory No. 3 because a plaintiff may not, as the
 14 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
 15 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
 16 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual
 17 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
 18 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations
 19 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
 20 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,
 21 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
 22 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
 23 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
 24 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
 25 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
 26 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
 27

1 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
2 supplied)).

3 Defendant further objects to Interrogatory No. 3 on the grounds that it is neither relevant
4 to jurisdiction nor reasonably calculated to lead to the discovery of admissible evidence relevant
5 to jurisdiction. Instead, Interrogatory No. 3 is an improper request for merits discovery.
6 “[T]raditionally [a court will] stay merits-related discovery in cases, such as this one, where a
7 motion to dismiss is pending on a threshold issue.” *Zovo Lingerie Co., LLC v. DMH Enters.,*
8 *Inc.*, No. 2:08-CV-00393, 2008 WL 2776623, at *1 (W.D. Wash. June 18, 2008) (staying
9 discovery pending the Court’s ruling on defendants’ motion to dismiss for lack of personal
10 jurisdiction). *See also 1st Tech. LLC v. Bodog Entm’t Group*, No. C08-0872 (JCC), 2009 WL
11 426605, at *2 (W.D. Wash. Feb. 19, 2009) (finding “Defendants’ delay in responding to the
12 Discovery Requests until the Court ruled on the Motion to Dismiss was substantially justified by
13 their concerns about the appropriateness of participating in merits-based discovery before
14 jurisdictional issues had been resolved”).

15 As the Ninth Circuit explained in *Little v. City of Seattle*, a stay of discovery until a
16 dispositive, threshold issue is decided “further the goal of efficiency for the court and litigants.”
17 863 F.2d 681, 685 (9th Cir. 1988) (affirming stay of discovery until immunity issue was
18 decided). “Defendants should not bear the extreme burden and expense of substantive discovery
19 until the Court rules on whether, or in what district, Plaintiff may proceed with this action.”
20 *Zovo Lingerie*, 2008 WL 2776623, at *1. *See also Stienmier v. Donley*, No. 09-CV-01260
21 (KMT-BNB), 2010 WL 1576714, at *1 (D. Colo. Apr. 20, 2010) (“subjecting a party to
22 discovery when a motion to dismiss based on a jurisdictional defense is pending constitutes an
23 undue burden or expense if the motion to dismiss is later granted”). This is particularly true
24 where, as here, the discovery sought is comprehensive and burdensome. *See Johnson v. NYU*
25 *School of Educ.*, 205 F.R.D. 433, 434 (S.D.N.Y. 2002) (staying discovery until resolution of
26 motion to dismiss where discovery sought consisted of “an extensive set of interrogatories . . .
27 that asks for information covering a span of more than five years”).

1 Defendant also objects to Interrogatory No. 3 to the extent it seeks information protected
2 by any applicable privilege, immunity, or protection including the attorney-client privilege,
3 attorney work product doctrine, or marital privilege.

4 Finally, Defendant objects to Interrogatory No. 3 to the extent it assumes or
5 mischaracterizes the facts.

6 Based on the foregoing objections and the General Objections above, Defendant will not
7 respond to this interrogatory.

8 **INTERROGATORY NO. 4:**

9 Where did you reside when the transfers described in Interrogatory No. 3 above
10 occurred?

11 **RESPONSE NO. 4:**

12 In addition to the General Objections stated above, which are incorporated herein by this
13 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
14 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
15 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
16 2006); see *Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
17 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
18 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
19 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
20 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
21 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
22 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
23 transacted any business within Washington, committed a tortious act within Washington, or
24 owned, used, or possessed property in Washington—much less allege causes of action arising
25 out of those acts. See RCW § 4.28.185. In fact, the only state the Complaint mentions with
26 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
27 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not

1 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
2 omitted).

3 In short, Defendant objects to Interrogatory No. 4 because a plaintiff may not, as the
4 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
5 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
6 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual
7 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
8 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations
9 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
10 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,
11 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
12 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
13 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
14 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
15 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
16 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
17 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
18 supplied)).

19 Finally, Defendant objects to Interrogatory No. 4 to the extent it assumes or
20 mischaracterizes the facts.

21 Based on the foregoing objections and the General Objections above, Defendant will not
22 respond to this interrogatory.

23 **INTERROGATORY NO. 5:**

24 Identify all facts, documents and communications relating to the transfer of \$158,000
25 from Stephen J. Rotella’s Schwab account to Esther Rotella’s Schwab account on or about June
26 23, 2009.

RESPONSE NO. 5:

In addition to the General Objections stated above, which are incorporated herein by this reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir. 2006); see *Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has personal jurisdiction over each of the defendants named in this action pursuant to [RCW] § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant transacted any business within Washington, committed a tortious act within Washington, or owned, used, or possessed property in Washington—much less allege causes of action arising out of those acts. See RCW § 4.28.185. In fact, the only state the Complaint mentions with regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation omitted).

In short, Defendant objects to Interrogatory No. 5 because a plaintiff may not, as the FDIC has done here, hale a party into court and then seek to conduct discovery to establish that the plaintiff had a basis for pleading jurisdiction. See, e.g., *Rae v. Union Bank*, 725 F.2d 478, 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery); *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,

1 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
 2 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
 3 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
 4 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
 5 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
 6 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
 7 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
 8 supplied)).

9 Defendant further objects to Interrogatory No. 5 on the grounds that it is neither relevant
 10 to jurisdiction nor reasonably calculated to lead to the discovery of admissible evidence relevant
 11 to jurisdiction. Instead, Interrogatory No. 5 is an improper request for merits discovery.
 12 “[T]raditionally [a court will] stay merits-related discovery in cases, such as this one, where a
 13 motion to dismiss is pending on a threshold issue.” *Zovo Lingerie Co., LLC v. DMH Enters.,*
 14 *Inc.*, No. 2:08-CV-00393, 2008 WL 2776623, at *1 (W.D. Wash. June 18, 2008) (staying
 15 discovery pending the Court’s ruling on defendants’ motion to dismiss for lack of personal
 16 jurisdiction). *See also 1st Tech. LLC v. Bodog Entm’t Group*, No. C08-0872 (JCC), 2009 WL
 17 426605, at *2 (W.D. Wash. Feb. 19, 2009) (finding “Defendants’ delay in responding to the
 18 Discovery Requests until the Court ruled on the Motion to Dismiss was substantially justified by
 19 their concerns about the appropriateness of participating in merits-based discovery before
 20 jurisdictional issues had been resolved”).

21 As the Ninth Circuit explained in *Little v. City of Seattle*, a stay of discovery until a
 22 dispositive, threshold issue is decided “furthers the goal of efficiency for the court and litigants.”
 23 863 F.2d 681, 685 (9th Cir. 1988) (affirming stay of discovery until immunity issue was
 24 decided). “Defendants should not bear the extreme burden and expense of substantive discovery
 25 until the Court rules on whether, or in what district, Plaintiff may proceed with this action.”
 26 *Zovo Lingerie*, 2008 WL 2776623, at *1. *See also Stienmier v. Donley*, No. 09-CV-01260
 27 (KMT-BNB), 2010 WL 1576714, at *1 (D. Colo. Apr. 20, 2010) (“subjecting a party to

1 discovery when a motion to dismiss based on a jurisdictional defense is pending constitutes an
2 undue burden or expense if the motion to dismiss is later granted”). This is particularly true
3 where, as here, the discovery sought is comprehensive and burdensome. *See Johnson v. NYU*
4 *School of Educ.*, 205 F.R.D. 433, 434 (S.D.N.Y. 2002) (staying discovery until resolution of
5 motion to dismiss where discovery sought consisted of “an extensive set of interrogatories . . .
6 that asks for information covering a span of more than five years”).

7 Defendant also objects to Interrogatory No. 5 to the extent it seeks information protected
8 by any applicable privilege, immunity, or protection including the attorney-client privilege,
9 attorney work product doctrine, or marital privilege.

10 Finally, Defendant objects to Interrogatory No. 5 to the extent it assumes or
11 mischaracterizes the facts.

12 Based on the foregoing objections and the General Objections above, Defendant will not
13 respond to this interrogatory.

14 **INTERROGATORY NO. 6:**

15 Where did You reside when the transfer described in Interrogatory No. 5 above occurred?

16 **RESPONSE NO. 6:**

17 In addition to the General Objections stated above, which are incorporated herein by this
18 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
19 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
20 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
21 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
22 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
23 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
24 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
25 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
26 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
27 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant

1 transacted any business within Washington, committed a tortious act within Washington, or
 2 owned, used, or possessed property in Washington—much less allege causes of action arising
 3 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
 4 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
 5 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
 6 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
 7 omitted).

8 In short, Defendant objects to Interrogatory No. 6 because a plaintiff may not, as the
 9 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
 10 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
 11 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual
 12 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
 13 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations
 14 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
 15 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,
 16 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
 17 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
 18 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
 19 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
 20 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
 21 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
 22 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
 23 supplied)).

24 Finally, Defendant objects to Interrogatory No. 6 to the extent it assumes or
 25 mischaracterizes the facts.

26 Based on the foregoing objections and the General Objections above, Defendant will not
 27 respond to this interrogatory.

1 **INTERROGATORY NO. 7:**

2 Identify all facts, documents and communications relating to the transfer of \$1,200,000
3 from Stephen J. Rotella's Schwab account to Esther Rotella's Schwab account on or about
4 December 17, 2009.

5 **RESPONSE NO. 7:**

6 In addition to the General Objections stated above, which are incorporated herein by this
7 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
8 discovery given that the FDIC has not made "a *prima facie* showing of jurisdictional facts to
9 withstand the motion to dismiss." *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
10 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
11 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
12 jurisdictional discovery where plaintiff failed to make "a single allegation alleging any contacts
13 with this forum"). In its Complaint, the FDIC failed to allege *any* facts making this requisite
14 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the "Court . . . has
15 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
16 § 4.28.185(1)(a), (b) and/or (c)." (Compl. at ¶ 20.) The FDIC does not allege that Defendant
17 transacted any business within Washington, committed a tortious act within Washington, or
18 owned, used, or possessed property in Washington—much less allege causes of action arising
19 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
20 regard to Defendant is New York. (Compl. ¶ 204.) "[W]here a plaintiff's claim of personal
21 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
22 permit even limited discovery." *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
23 omitted).

24 In short, Defendant objects to Interrogatory No. 7 because a plaintiff may not, as the
25 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
26 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
27 481 (9th Cir. 1984) (affirming District Court's denial of 12(b)(2) discovery where no factual

1 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
 2 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations
 3 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
 4 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,
 5 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
 6 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
 7 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
 8 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
 9 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
 10 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
 11 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
 12 supplied)).

13 Defendant further objects to Interrogatory No. 7 on the grounds that it is neither relevant
 14 to jurisdiction nor reasonably calculated to lead to the discovery of admissible evidence relevant
 15 to jurisdiction. Instead, Interrogatory No. 7 is an improper request for merits discovery.
 16 “[T]raditionally [a court will] stay merits-related discovery in cases, such as this one, where a
 17 motion to dismiss is pending on a threshold issue.” *Zovo Lingerie Co., LLC v. DMH Enters.,*
 18 *Inc.*, No. 2:08-CV-00393, 2008 WL 2776623, at *1 (W.D. Wash. June 18, 2008) (staying
 19 discovery pending the Court’s ruling on defendants’ motion to dismiss for lack of personal
 20 jurisdiction). *See also 1st Tech. LLC v. Bodog Entm’t Group*, No. C08-0872 (JCC), 2009 WL
 21 426605, at *2 (W.D. Wash. Feb. 19, 2009) (finding “Defendants’ delay in responding to the
 22 Discovery Requests until the Court ruled on the Motion to Dismiss was substantially justified by
 23 their concerns about the appropriateness of participating in merits-based discovery before
 24 jurisdictional issues had been resolved”).

25 As the Ninth Circuit explained in *Little v. City of Seattle*, a stay of discovery until a
 26 dispositive, threshold issue is decided “furthers the goal of efficiency for the court and litigants.”
 27 863 F.2d 681, 685 (9th Cir. 1988) (affirming stay of discovery until immunity issue was

1 decided). “Defendants should not bear the extreme burden and expense of substantive discovery
2 until the Court rules on whether, or in what district, Plaintiff may proceed with this action.”
3 *Zovo Lingerie*, 2008 WL 2776623, at *1. See also *Stienmier v. Donley*, No. 09-CV-01260
4 (KMT-BNB), 2010 WL 1576714, at *1 (D. Colo. Apr. 20, 2010) (“subjecting a party to
5 discovery when a motion to dismiss based on a jurisdictional defense is pending constitutes an
6 undue burden or expense if the motion to dismiss is later granted”). This is particularly true
7 where, as here, the discovery sought is comprehensive and burdensome. See *Johnson v. NYU*
8 *School of Educ.*, 205 F.R.D. 433, 434 (S.D.N.Y. 2002) (staying discovery until resolution of
9 motion to dismiss where discovery sought consisted of “an extensive set of interrogatories . . .
10 that asks for information covering a span of more than five years”).

11 Defendant also objects to Interrogatory No. 7 to the extent it seeks information protected
12 by any applicable privilege, immunity, or protection including the attorney-client privilege,
13 attorney work product doctrine, or marital privilege.

14 Finally, Defendant objects to Interrogatory No. 7 to the extent it assumes or
15 mischaracterizes the facts.

16 Based on the foregoing objections and the General Objections above, Defendant will not
17 respond to this interrogatory.

18 **INTERROGATORY NO. 8:**

19 Where did You reside when the transfer described in Interrogatory No. 7 above occurred?

20 **RESPONSE NO. 8:**

21 In addition to the General Objections stated above, which are incorporated herein by this
22 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
23 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
24 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
25 2006); see *Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
26 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
27 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts

1 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
 2 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
 3 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
 4 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
 5 transacted any business within Washington, committed a tortious act within Washington, or
 6 owned, used, or possessed property in Washington—much less allege causes of action arising
 7 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
 8 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
 9 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
 10 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
 11 omitted).

12 In short, Defendant objects to Interrogatory No. 8 because a plaintiff may not, as the
 13 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
 14 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
 15 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual
 16 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
 17 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations
 18 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
 19 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,
 20 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
 21 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
 22 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
 23 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
 24 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
 25 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
 26 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
 27 supplied)).

1 Finally, Defendant objects to Interrogatory No. 8 to the extent it assumes or
2 mischaracterizes the facts.

3 Based on the foregoing objections and the General Objections above, Defendant will not
4 respond to this interrogatory.

5 **INTERROGATORY NO. 9:**

6 Identify all facts, documents and communications relating to any other transfers on or
7 after November 1, 2007, from Stephen J. Rotella to You of (i) cash or personal property in an
8 amount exceeding \$10,000 or (ii) any interest in real property.

9 **RESPONSE NO. 9:**

10 In addition to the General Objections stated above, which are incorporated herein by this
11 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
12 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
13 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
14 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
15 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
16 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
17 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
18 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
19 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
20 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
21 transacted any business within Washington, committed a tortious act within Washington, or
22 owned, used, or possessed property in Washington—much less allege causes of action arising
23 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
24 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
25 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
26 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
27 omitted).

1 In short, Defendant objects to Interrogatory No. 9 because a plaintiff may not, as the
 2 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
 3 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
 4 481 (9th Cir. 1984) (affirming District Court's denial of 12(b)(2) discovery where no factual
 5 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
 6 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) ("finding only bare allegations
 7 of jurisdiction," the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
 8 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev'd on other grounds*,
 9 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
 10 to conduct discovery to demonstrate jurisdiction). "As a rule, a plaintiff is not entitled to
 11 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
 12 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
 13 place the factual basis for personal jurisdiction in issue." *In re Teligent, Inc.*, Nos. 01-12974
 14 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
 15 discovery until the plaintiff pleads "legally sufficient, *non-conclusory* allegations" (emphasis
 16 supplied)).

17 Defendant further objects to Interrogatory No. 9 on the grounds that it is neither relevant
 18 to jurisdiction nor reasonably calculated to lead to the discovery of admissible evidence relevant
 19 to jurisdiction. Instead, Interrogatory No. 9 is an improper request for merits discovery.
 20 "[T]raditionally [a court will] stay merits-related discovery in cases, such as this one, where a
 21 motion to dismiss is pending on a threshold issue." *Zovo Lingerie Co., LLC v. DMH Enters.,*
 22 *Inc.*, No. 2:08-CV-00393, 2008 WL 2776623, at *1 (W.D. Wash. June 18, 2008) (staying
 23 discovery pending the Court's ruling on defendants' motion to dismiss for lack of personal
 24 jurisdiction). *See also 1st Tech. LLC v. Bodog Entm't Group*, No. C08-0872 (JCC), 2009 WL
 25 426605, at *2 (W.D. Wash. Feb. 19, 2009) (finding "Defendants' delay in responding to the
 26 Discovery Requests until the Court ruled on the Motion to Dismiss was substantially justified by
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2 jurisdictional issues had been resolved”).

3 As the Ninth Circuit explained in *Little v. City of Seattle*, a stay of discovery until a
4 dispositive, threshold issue is decided “furthers the goal of efficiency for the court and litigants.”
5 863 F.2d 681, 685 (9th Cir. 1988) (affirming stay of discovery until immunity issue was
6 decided). “Defendants should not bear the extreme burden and expense of substantive discovery
7 until the Court rules on whether, or in what district, Plaintiff may proceed with this action.”
8 *Zovo Lingerie*, 2008 WL 2776623, at *1. See also *Stienmier v. Donley*, No. 09-CV-01260
9 (KMT-BNB), 2010 WL 1576714, at *1 (D. Colo. Apr. 20, 2010) (“subjecting a party to
10 discovery when a motion to dismiss based on a jurisdictional defense is pending constitutes an
11 undue burden or expense if the motion to dismiss is later granted”). This is particularly true
12 where, as here, the discovery sought is comprehensive and burdensome. See *Johnson v. NYU*
13 *School of Educ.*, 205 F.R.D. 433, 434 (S.D.N.Y. 2002) (staying discovery until resolution of
14 motion to dismiss where discovery sought consisted of “an extensive set of interrogatories . . .
15 that asks for information covering a span of more than five years”).

16 Defendant also objects to Interrogatory No. 9 to the extent it seeks information protected
17 by any applicable privilege, immunity, or protection including the attorney-client privilege,
18 attorney work product doctrine, or marital privilege.

19 Finally, Defendant objects to Interrogatory No. 9 to the extent it assumes or
20 mischaracterizes the facts.

21 Based on the foregoing objections and the General Objections above, Defendant will not
22 respond to this interrogatory.

23 **INTERROGATORY NO. 10:**

24 Identify all facts, documents and communications relating to and supporting Your
25 position that the Court lacks personal jurisdiction over You in connection with the claims alleged
26 in the Complaint.
27

1 **RESPONSE NO. 10:**

2 In addition to the General Objections stated above, which are incorporated herein by this
 3 reference, Defendant objects to this interrogatory on the grounds that the FDIC is not entitled to
 4 discovery given that the FDIC has not made “a *prima facie* showing of jurisdictional facts to
 5 withstand the motion to dismiss.” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154 (9th Cir.
 6 2006); *see Cunningham Field & Research Serv., Inc. v. Johnston*, No. C05-1354-MJP, 2005 WL
 7 2704510 (W.D. Wash. Oct. 20, 2005) (Pechman, J.) (dismissing action and denying
 8 jurisdictional discovery where plaintiff failed to make “a single allegation alleging any contacts
 9 with this forum”). In its Complaint, the FDIC failed to allege *any* facts making this requisite
 10 showing. Instead, the FDIC merely alleged, in boilerplate fashion, that the “Court . . . has
 11 personal jurisdiction over each of the defendants named in this action pursuant to [RCW]
 12 § 4.28.185(1)(a), (b) and/or (c).” (Compl. at ¶ 20.) The FDIC does not allege that Defendant
 13 transacted any business within Washington, committed a tortious act within Washington, or
 14 owned, used, or possessed property in Washington—much less allege causes of action arising
 15 out of those acts. *See* RCW § 4.28.185. In fact, the only state the Complaint mentions with
 16 regard to Defendant is New York. (Compl. ¶ 204.) “[W]here a plaintiff’s claim of personal
 17 jurisdiction appears to be both attenuated and based on bare allegations . . . the Court need not
 18 permit even limited discovery.” *Pebble Beach*, 453 F.3d at 1160 (quotations and citation
 19 omitted).

20 In short, Defendant objects to Interrogatory No. 10 because a plaintiff may not, as the
 21 FDIC has done here, hale a party into court and then seek to conduct discovery to establish that
 22 the plaintiff had a basis for pleading jurisdiction. *See, e.g., Rae v. Union Bank*, 725 F.2d 478,
 23 481 (9th Cir. 1984) (affirming District Court’s denial of 12(b)(2) discovery where no factual
 24 issues were raised by the motion to dismiss); *PlastWood SRL v. Rose Art Indus., Inc.* No. C07-
 25 0458 JLR, 2007 WL 3129589, at *5 (W.D. Wash. Oct. 23, 2007) (“finding only bare allegations
 26 of jurisdiction,” the Court declined to grant plaintiff leave to conduct jurisdictional discovery);
 27 *Swartz v. KPMG, LLC*, 401 F. Supp. 2d 1146, 1157 (W.D. Wash. 2004), *rev’d on other grounds*,

1 476 F.3d 756 (9th Cir. 2007) (holding that a plaintiff may not sue a plaintiff and then seek leave
2 to conduct discovery to demonstrate jurisdiction). “As a rule, a plaintiff is not entitled to
3 jurisdictional discovery to enable her to bolster an inadequate pleading if the defendant merely
4 challenges the legal sufficiency of the jurisdictional allegations in the complaint, and does not
5 place the factual basis for personal jurisdiction in issue.” *In re Teligent, Inc.*, Nos. 01-12974
6 SMB, 03-3577, 2004 WL 724945, at *6 (Bankr. S.D.N.Y. Mar. 30, 2004) (denying jurisdictional
7 discovery until the plaintiff pleads “legally sufficient, *non-conclusory* allegations” (emphasis
8 supplied)).

9 Defendant also objects to Interrogatory No. 10 to the extent it seeks information protected
10 by any applicable privilege, immunity, or protection including the attorney-client privilege,
11 attorney work product doctrine, or marital privilege.

12 Based on the foregoing objections and the General Objections above, Defendant will not
13 respond to this interrogatory.

14
15 Dated this 15th day of August, 2011.

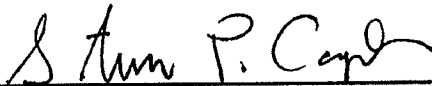
16 SIMPSON THACHER & BARTLETT LLP
17 Barry R. Ostrager (*pro hac vice*)
18 Mary Kay Vyskocil (*pro hac vice*)
19 425 Lexington Avenue
20 New York, New York 10017
21 Tel.: (212) 455-2000
22 Fax: (212) 455-2502
23 Email: bostrager@stblaw.com
24 mvyskocil@stblaw.com

-and-

21 Deborah L. Stein (*pro hac vice*)
22 1999 Avenue of the Stars, 29th Floor
23 Los Angeles, California 90067
24 Tel.: (310) 407-7500
25 Fax: (310) 407-7502
26 Email: dstein@stblaw.com

Attorneys for Esther T. Rotella

DAVIS WRIGHT TREMAINE LLP

By: 
Stephen M. Rummage, WSBA #11168
Steven P. Caplow, WSBA #19843
1201 Third Avenue, Suite 2200
Seattle, Washington 98101-3045
Tel.: (206) 757-3150
Fax: (206) 757-7700
Email: steverummage@dwt.com
stevencaplow@dwt.com