

# Morgan Lewis

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October 7, 2016

James G. Sheehan  
Charities Bureau  
State of New York  
Office of the Attorney General  
120 Broadway  
New York, NY 10271

Re: The Donald J. Trump Foundation, EPTL #04-28-01

Dear Mr. Sheehan:

We are in receipt of your letter dated September 30, 2016 (the "Notice") alleging that the Donald J. Trump Foundation (the "Foundation") engaged in charitable solicitation in New York State in 2016 without registering with the Charities Bureau. The Notice asserts that the Foundation is in violation of section 172 of Article 7-A of New York's Executive Law. The Notice also directs the Foundation to cease soliciting charitable contributions in New York and to notify any third parties engaged on behalf of the Foundation to cease soliciting charitable contributions in New York.

We wish to inform you that the Foundation intends to cooperate fully with your request. On October 3, 2016, the first business day following receipt of the Notice, Mr. Trump issued a directive that all Directors, Officers, and personnel of the Foundation should not seek or accept contributions to the Foundation, not collect or deposit any funds other than investment income, and, without Mr. Trump's direct authorization, not expend any funds on behalf of the Foundation. The Foundation does not engage any third parties for solicitation or fundraising activities, either in New York or elsewhere. Moreover, the Foundation does not intend to engage in any future charitable solicitation activities, either in New York or elsewhere.

We are assisting the Foundation to determine whether there is any instance of charitable solicitation by the Foundation previously conducted in New York that may require registration and financial reporting. In addition, we are identifying an accounting firm to

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Index No. 452564/2022 (AFE)

James G. Sheehan  
October 7, 2016  
Page 2

assist the Foundation to prepare financial reports and audited financial statements (if applicable) for any year in which such reporting may be required.

We are also assisting the Foundation to determine whether the Foundation engaged in any charitable solicitation in New York in 2016 and if so, what action may be required. For your information, although the Foundation participated in a fundraiser for veterans' charities in January 2016, the event took place in Iowa, not New York. As previously noted, the Foundation does not intend to engage in any future charitable solicitation activity in New York or elsewhere.

As you may appreciate, conducting a comprehensive review of the Foundation's charitable activity going back many years will take considerable time and resources, and the Foundation will not be able to complete that work within 15 days.

We appreciate your allowing us a reasonable time in which to ensure a thorough and complete response. We would expect that your Office has granted similar courtesies to other private foundations that are the subject of similar inquiries from your office.

Sincerely,



Sheri A. Dillon