

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SUSAN GAFFNEY, in her official capacity
as Inspector General, U.S. Department of
Housing and Urban Development,
451 - 7th Street, S.W.
Washington, D.C. 20410,

Petitioner,

v.

THE HAMILTON SECURITIES GROUP,
INC. and HAMILTON SECURITIES
ADVISORY SERVICES, INC.,
7 Dupont Circle, N.W.
Washington, D.C. 20036,

Respondents.

Misc. No.

FILED UNDER SEAL

AFFIDAVIT OF [REDACTED]

1. My name is [REDACTED]. I am employed by [REDACTED] Management, Inc., as the "residential manager" of 7 Dupont Circle, N.W., Washington, D.C. As manager of the building, I was responsible for the maintenance of the premises. Hamilton Securities was the only tenant at that location.

2. I was present in the offices of Hamilton Securities at 7 Dupont Circle, N.W. on many occasions during the month of March, including Monday, March 9th, Tuesday, March 10th, Wednesday, March 11th, and Thursday, March 12th, 1998.

3. I knew that Hamilton Securities was preparing for an auction of its office furnishings, including its computers, in the early days of March, 1998. In preparation for the auction, paper documents from desks and file cabinets had been removed from those furnishings. Bags containing those documents had been placed in various

locations throughout the Hamilton offices, the entrance hallway, and in the basement area where Hamilton's trash (totems) were stored.

4. On Monday, March 9th, there was a great deal of activity in the Hamilton offices. There were perhaps as many as 50 people examining the equipment that was going to be put up for auction the next day, along with Mr. ██████████ and others from his office, FBI agents, and employees of HUD and the auctioneer's company.

5. At some point during the day, ██████████, a Hamilton employee, introduced me to an FBI agent and asked me to show the agent where other bags of documents had been placed.

6. I took the FBI agent down the elevator, to the basement area, and showed him the small room just outside the elevator doors on the basement level. The room is a small area, approximately 8' x 12', accessible only from the elevator and one door leading to the outside steps. That door is normally locked, and the basement level is accessible by elevator only if you have a key to the elevator. To my knowledge, only ██████████ and I had keys to the elevator.

7. I showed the FBI agent the contents of the room. Inside the room there was one blue totem with a box of documents on top of it, Hamilton's two red totems, which were locked at the time, and various bags filled with documents. I also opened the door for the FBI agent, and showed him the stairwell area that contained a second blue totem, and more bags filled with documents.


8. The two red totems have slots in them, through which documents are put into the totems. The FBI agent looked into the slots on the red totems, and remarked that they appeared to be almost empty.

9. The box of documents on top of the blue totem, the blue totem, the two red totems, and the other bags of documents were then carried back upstairs and into

the Hamilton offices. These items were placed inside one of Hamilton's conference rooms, which had a glass exterior wall. The locks from the two red totems were removed or unfastened, and various people then went through the documents that had been brought up from downstairs. As these people went through the documents, they filled up the red totems, and put the rest of the documents back into bags and boxes.

10. When I returned the next day, Tuesday, March 10th, the red and blue totems were back on the basement level. The remaining bags of documents had also been placed in the hallway inside of Hamilton's office space, along with other bags of documents that were already there.

11. On that same day, Tuesday, March 10th, an FBI agent introduced me to a woman named "Judy", who identified herself as being with the Office of the Inspector General. The FBI agent asked me to take "Judy" down to the basement area where the totems were located. She had two other people with her, and she asked one of them if they had the camera ready. I took them down the elevator to the basement area, and showed them the totems. The red totems were still located in the room just off of the elevator, and I noticed that several bags filled with documents had also been returned downstairs. "Judy" then took several pictures of the red totems. I told her that the totems had not been filled yesterday, like they were then, when I first showed them to the FBI agent.



SUBSCRIBED AND SWORN TO BEFORE ME this 22nd day of April, 1998.

Quinn H. Ferguson
Notary Public

My Commission Expires: 7/31/98.