

ERVIN and
ASSOCIATES
INCORPORATED

FI-203888

September 17, 1997

Via Facsimile to (202) 619-8365

Ms. Pat Morgan
Director, Office of the Executive Secretariat
U.S. Department of HUD
451 Seventh Street, SW, Room 10246
Washington, D.C. 20410-0500

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EXECUTIVE
SECRETARIAT

Re: Freedom of Information Act Request
Teaming Partners on Note Sales

Dear Ms. Morgan:

On September 6, 1995, Karen Burstein, counsel for Asset Strategies, sent a letter via overnight mail to then Assistant Secretary for Community Planning and Development Cuomo detailing significant irregularities in HUD's Note Sale Program which was under the Direction of Nic Retsinas.

Page four of the letter included the following:

"the prime contractor [Hamilton] has this year developed a concept called 'teaming partner' which allows it to represent to HUD the availability of (in one case) 20 firms for different projects. Some of these 'teaming partners' are broker/dealers who will bid on portfolios being analyzed by the lead contractor. Such dealers have staff at Hamilton with access to confidential information."

Under the provisions of the Freedom of Information Act, please also provide us with the following regarding these teaming partner arrangements:

- Any documentation within HUD that would identify the 20 firms referred to in Burstein's teaming partner example;
- Any documentation identifying Hamilton's teaming partner relationships within HUD, including documents that would identify all such teams and any note sales they participated in as teaming partners.

The United States Attorney's Office and the HUD Inspector General are currently conducting a sixteen month long criminal investigation into allegations that were brought to light by Ervin. Additionally, the U.S. District Court for the District of Columbia has held that "the government and plaintiffs [Ervin] share an interest in pinpointing and eliminating corrupt practices at HUD."

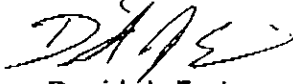
Through this FOIA request, we are exercising our right as citizens and taxpayers to pinpoint and eliminate "corrupt practices at HUD" and to investigate highly suspect actions by Secretary Cuomo, including his decision to allow Nic Retsinas to remain

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FHA commissioner although the wrongdoing being investigation occurred on his watch.

Considering this, for the purposes of this request, Ervin should be treated as a non-commercial requester and any applicable fees should be subject to the restrictions placed on non-commercial requesters. Ervin agrees to pay up to \$50 for the processing of this request. If the anticipated fees are to exceed \$50, please call me at (301) 469-3422 so I may have an opportunity to reformulate the request.

Very truly yours,
ERVIN and ASSOCIATES, INCORPORATED



David J. Ervin