

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

|  |                                 |
|--|---------------------------------|
| Roderick Webber, Pro Se Plaintiff, v ) | Case 1:18-cv-00931-LM           |
| Donald J. Trump, Edward Deck et al. )  | (Chief Judge Landya McCafferty) |
| Defendants. )                          | July 12, 2019                   |

APPENDIX TO REPLY MEMORANDUM TO MOTION TO DISMISS BY DEFENDANT

TRUMP COMPANIES

RE: THE TRUMP ORGANIZATION, INC

1) Background Regarding the Re-Routing of the mail

The summons and complaint were duly served on the Defendant The Trump Organization, Inc. on February 14, 2019 at 725 Fifth Avenue, New York, New York, 10022, (commonly known as “Trump Tower.” The Trump Organization, Inc. however, never filed an appearance. To ensure that there could be no doubt regarding proper service, Plaintiff re-sent the summons and complaint via certified mail, while delivering a copy to the Secretary of State pursuant to the rule for non-resident defendants, 510:4. The USPS marked Plaintiff’s package as “returned to sender.” It was not returned to sender, and in fact, the package went on a much stranger journey. Plaintiff has had several phone calls with employees at USPS regarding the mysterious disappearance of Plaintiff’s certified mail package which was supposed to be delivered to The Trump Organization, Inc. at Trump Tower in New York City. The USPS told Plaintiff they, “didn’t understand why it was sent/ forwarded to Washington DC, instead of just being returned to you, [Webber], because the item was not supposed to be delivered, [there in DC].”

With much confusion over what happened with the summons and complaint sent to The Trump

Organization, Inc., Plaintiff endeavored to find out what happened to it. After many calls and emails causing the USPS workers to repeatedly utter the phrase, “I have no idea what’s going on with this item,” the USPS partially figured it out. Plaintiff now has it in writing from the USPS that an individual named M Naldo, (Mateo Naldo) mysteriously claimed the package, writing “Trump For America” on the line for “firm name” at an address which the USPS could not reveal to Plaintiff, in Washington, DC. The USPS did however say that it was in zip code 20270. Finally, on April 25, 2019, USPS employee Bryant V. Jackson wrote to Plaintiff, “The certified [mail] was forwarded to Washington DC 20038 and scanned delivered to Trump for America.”

2) Details of the package’s re-routing:

- a) Plaintiff submitted a copy of the summons and complaint to the New Hampshire Secretary of State Corporation Registry, and also sent a certified mail package with the summons and complaint to The Trump Organization, Inc. at 725 Fifth Avenue, New York, NY, 10022, commonly known as Trump Tower. The package arrived on April 4, 2019 as confirmed by tracking by USPS certified mail.
- b) At this point, the USPS tracking website had Plaintiff’s package was labeled “Delivered to original sender, WASHINGTON, DC, 20038.”
- c) Plaintiff’s package was actually forwarded to Washington, DC and was signed for by Mateo Naldo of “Trump For America,” as confirmed by USPS tracking receipt issued to Plaintiff on April 24, 2019.
- d) Emails from USPS Consumer Affairs employee, Bryant V. Jackson, further confirm delivery of the package to “Trump For America,” signed for by M. Naldo.

3) American Oversight FOIA Documents Prove Re-routing of the Mail by Trump Whitehouse

a) Freedom of Information Act (“FOIA”) documents obtained and published by American Oversight explain in their 3,730 page release that Whitehouse officials and officials related to the Whitehouse were ordered to re-route documents delivered to Trump Tower and send them to 1800 F Street, NW, Washington DC., 20270. In pages 2292 to 2313, Whitehouse staff detail how this take-over of various package delivery companies is to take place, but most specifically state: “All mail addressed to and intended for President Elect Trump needs to be re-directed to: Presidential Transition Headquarters 1800 F Street, NW Room G117 Washington, DC 20270-0117 The mail will be xrayed, irradiated, and opened at a remote site and then delivered to 1800 F for cataloging and storing.”

b) On pages 2,312 and 2,313 Aimee Whiteman ( <aimee.whiteman@xxxREDACTEDxxx>) makes statements which prove that Trump For America is the same as the Presidential Transition Headquarters, writing, “I’m attaching two documents that were prepared for and disseminated to the Pre-Elect Trump for America transition leadership in September. They go into greater detail about what to expect of the mail procedures at the Presidential Transition Headquarters. Please let me know if you have any questions. Aimee”

c) The original FOIA document is littered with hundreds if not thousands of names, and other information that may not be appropriate to upload to the ECF. Rather than risk breaching ECF procedural rules, Plaintiff is providing a web link which can be found online here: <https://assets.documentcloud.org/documents/4110106/GSA-Trump-Hotel-Correspondence.pdf>

4) American Oversight FOIA Documents Prove Trump Transition Team and Trump For America are the Same

On February 19, 2017, Charles Gantt, the Chief Financial Officer of Trump For America, Inc. sent a document to Trump For America, Inc. Acting Administrator, Tim Horne entitled “Financial Report for the 2016 Presidential Transition Team.” The report confirms that Trump For America, Inc. is the same entity or organization as “The Presidential Transition Team,” mentioned repeatedly in the 3,730 page FOIA document published by American Oversight. The terms “Trump For America”, “Presidential Transition Team,” and variants of “Trump Transition” are used interchangeably.

The original Charles Gantt document is littered with hundreds if not thousands of names, and other information that may not be appropriate to upload to the ECF, so rather than risk breaching ECF procedural rules, Plaintiff is providing a web link which can be found online here: [https://www.gsa.gov/cdnstatic/Trump\\_for\\_America\\_\\_Inc.\\_30\\_Day\\_report\\_20170217.pdf](https://www.gsa.gov/cdnstatic/Trump_for_America__Inc._30_Day_report_20170217.pdf)

RE: TRUMP ORGANIZATION, LLC

1) The April 4th Delivery

Pursuant to Rule 4 of the Federal Rules of Civil Procedure, two slightly different copies of the summons and complaint (document 36 filed 3/28/19) were mailed to 725 Fifth Avenue, New York, NY, 10022 (otherwise known as Trump Tower). The distinction between the two documents is that one copy was for The Trump Organization, Inc. and one copy was for Trump Organization, LLC, (and named as The Trump Organization). Plaintiff will prove in the next paragraphs that “The Trump Organization” is synonymous with “Trump Organization, LLC.”

2) Establishing that Trump Organization, LLC and The Trump Organization are the same entity

a) In the case of Galicia v. Trump, et al, filed in The Supreme Court of the State of New York, (Index No. 24973/2015), Defendant Donald J. Trump wrote a sworn affidavit, (dated March 1, 2016). He states, “I am the founder, President and Chairman of The Trump Organization s/h/a The Trump Organization LLC (“Trump Org.” one of the Defendants in this litigation.” This establishes that Trump Organization, LLC is referred to as “The Trump Organization.”

b) In a two-page letter dated January 11, 2019 from Trump Attorney Lawrence S. Rosen to Attorney Nathaniel K. Charny, Esq., (in the case of Galicia v. Trump, et al.), Rosen includes an enclosure for three other attorneys, one of them being Mathew R. Maron. Maron’s address is listed as Trump Organization, LLC, 725 Fifth Avenue, New York, NY 10022 and his email address is written as xxxREDACTEDxxx @trumporg.com. TrumpOrg.com forwards to Trump.com, which is promoted as “The Trump Organization.”

Page 36 of the Document cloud published by Kenneth Vogel of the New York Times contains the source material.

<https://www.documentcloud.org/documents/5702694-Protesters-Roughed-Up-By-Trump-Security-Try-To.html>

c) The official Twitter handle for “The Trump Organization” is <https://twitter.com/Trump>. The website listed for this account is Trump.com, which as established in the previous paragraph is synonymous with Trump Organization, LLC.

3) Establishing Trump Organization, LLC's Place of Business

a) In a two-page letter dated January 11, 2019 from Trump Attorney Lawrence S. Rosen to Attorney Nathaniel K. Charny, Esq., (in the case of Galicia v. Trump, et al.), Rosen includes an enclosure for three other attorneys, one of them being Mathew R. Maron. Maron's address confirms that the address of Trump Organization, LLC is at 725 Fifth Avenue, New York, NY 10022.

Page 36 of the Document cloud published by Kenneth Vogel of the New York Times contains the source material.

<https://www.documentcloud.org/documents/5702694-Protesters-Roughed-Up-By-Trump-Security-Try-To.html>

b) On page 33, of the Document cloud PDF published by Kenneth Vogel, an attorney named Russell G. Wheeler, affirms service to Mathew R. Maron Assistant General Counsel— Litigation, Trump Organization, LLC. The address is 725 Fifth Avenue, New York, NY, 10022. It was sent January 7, 2019.

Page 33 of the Document cloud published by Kenneth Vogel of the New York Times contains the source material.

<https://www.documentcloud.org/documents/5702694-Protesters-Roughed-Up-By-Trump-Security-Try-To.html>

c) In the case of Galicia v. Trump, et al, filed in The Supreme Court of the State of New York, (Index No. 24973/2015), Keith Schiller, a Trump Organization, LLC employee and one of Donald Trump's co-Defendants wrote a sworn affidavit, (dated October 5, 2015), regarding

Trump Organization, LLC. Schiller states, “As the Director of Security, I am responsible for, among other things, overseeing security and safety at various Trump Organization properties, including Trump Tower, located at 725 Fifth Avenue between East 56th Street and East 57th Street in Manhattan.”

#### 4) Further Proof of Re-routing of the mail

The same two-page letter dated January 11, 2019 by Trump Attorney Lawrence S. Rosen has a footnote on page 2 which further establishes that the mail being delivered to Trump Tower is being re-routed. This is that footnote:

“Based upon the information contained in your cover letter, dated December 28, 2018, it appears that the original subpoena and check (for witness fee) was mailed via first-class mail to Matthew Maron at his Trump Tower, 725 5th Avenue address. As such, it is likely that it was routed through the United States Secret Service in Washington for security purposes, which would delay actual delivery to Mr. Maron’s office by weeks, if not months (even absent a partial government shutdown). To date, Mr. Maron has not received the original subpoena or check.”

Page 36 of the Document cloud published by Kenneth Vogel of the New York Times contains the source material.

<https://www.documentcloud.org/documents/5702694-Protesters-Roughed-Up-By-Trump-Security-Try-To.html>