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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
1	dated 4/2/2012, but correct date may be 4/2/2013	001-026	PowerPoint Presentation voluntarily submitted to SEC staff	Slides used in meeting between Malkin Holdings (and its representatives) and staff from the SEC's Division of Enforcement ("Enforcement") regarding disclosures and communications relating to the consolidation of entities into Empire State Realty Trust, Inc.	Malkin Holdings LLC; Clifford Chance US LLP; Proskauer Rose LLP; Dewey Pegno & Kramarsky LLP; and Gibson, Dunn & Crutcher LLP	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
2	9/27/2010	205-218	Letter to Malkin Holdings	Proposal re retaining Duff & Phelps as financial advisor; attaching Terms of Retention	Duff & Phelps	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
3	5/18/2011	219	Letter to Malkin Holdings	First Addendum to 9/27/10 Agreement with Duff & Phelps	Duff & Phelps	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public

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4	6/29/2011	221-222	Letter to Malkin Holdings	Second Addendum to 9/27/10 Agreement with Duff & Phelps	Duff & Phelps	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
5	12/23/2011	223	Email to Duff & Phelps officials	Statements regarding Addendum to 9/27/10 Agreement with Duff & Phelps	Malkin Holdings General Counsel	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
6	12/17/2011	225	Letter to Malkin Holdings	Third Addendum to 9/27/10 Agreement with Duff & Phelps	Duff & Phelps	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
7	1/24/2011	227-238	Letter to Malkin Holdings	Engagement Letter for Valuation Services; attaching Terms and Conditions	Duff & Phelps	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public

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8	12/21/2012	239-243	Letter to Duff & Phelps	Management Representation Letter regarding information Malkin Holdings provided to Duff & Phelps	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
9	2/27/2013	939-950	3 letters to SEC	Cover letters transmitting document to SEC and requesting confidential treatment	Dewey Pegno & Kramarsky LLP	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
10	1/22/2013-2/28/2013	951-1134	Emails from investors	Questions/Comments submitted by investors for conference calls with Malkin Holdings about the proposed consolidation and IPO as a REIT	Investors	(b)(4), (b)(6), (b)(7)(C)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public; names, phone numbers, and email addresses of individuals also redacted to protect privacy interests in their identifying information and their personal finances

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
11	12/2011	1135-1138	Talking Points	Guidelines for answering questions from investors regarding Malkin Holdings' proposed consolidation	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
12	undated	1139-1147	Q&A Outline	Guidelines for answering questions about Malkin Holdings' proposed consolidation	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
13	undated	1148-1151	Spreadsheet	Spreadsheet containing information about value of various entities	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
14	undated	1152	Spreadsheet	Spreadsheet containing information about voluntary buyouts	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
15	undated	1153-1186	Spreadsheets	Spreadsheets containing information about investors' holdings	Malkin Holdings	(b)(4), (b)(6), (b)(7)(C)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public; names also redacted to protect privacy interests in personal finances
16	11/29/2011	1187	Email to Malkin Holdings employees	Information regarding calls to investors	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
17	12/2011	1188-1196	Q&A Outline	Guidelines for answering questions about Malkin Holdings' proposed consolidation	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
18	undated	1197-1200	Spreadsheet	Spreadsheet containing information about value of various entities	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
19	undated	1201	Spreadsheet	Spreadsheet containing information about voluntary buyouts	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
20	undated	1202	Page from a report	Discussion of valuation calculations	not provided	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
21	9/7/2012	1203	Call script	Script for calls from Malkin Holdings to investors about consolidation of properties into a publicly traded REIT	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
22	12/2011	1204-1216	Spreadsheet	Summaries of questions submitted by investors and responses to those questions	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
23	undated	1217	Q & A document	List of questions and answers for conference calls	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public
24	unknown	1222	Handwritten notes	Notes from conversations with attorney from the SEC's Division of Corporation Finance ("Corp Fin") regarding issues Corp Fin was considering relating to Empire State Realty Trust	Enforcement Attorney	(b)(5)	Redacted in full, attorney work product, deliberative process

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
25	5/10/2012	1223	Email string	Analysis of facts regarding ongoing Empire State Realty Trust inquiry and discussion of possible future steps	Enforcement attorney	(b)(5)	Redacted in part, attorney work product, deliberative process
26	4/27/2012	1224	Internal SEC TCR Summary	Discussion of information provided to Enforcement by Corp Fin regarding Empire State Realty Trust	Corp Fin attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
27	3/4&5/2012	1225-1227	Handwritten notes	Notes from conversations with Corp Fin attorneys regarding Corp Fin review of Empire State Realty Trust documents	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process



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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
28	undated	1228-1238	Spreadsheet with handwritten notes	Summary of investor complaints received by SEC and handwritten questions and underlining	Enforcement attorney's handwritten notes on a spreadsheet prepared by Corp Fin.	(b)(5), (b)(6), (b)(7)(C)	This SEC provided the spreadsheet to the Plaintiff on 1/15/2015 in connection with separate litigation (Edelman v. SEC, No. 1:14-cv-1140 (D.D.C.)) (The spreadsheet is a portion of the document listed on line 6 of the Vaughn Index for that case.) This copy of the spreadsheet has handwritten notes and underlining throughout and is being withheld in full to protect the deliberative process and attorney work product. The spreadsheet contains names of complainants that were previously withheld under Exemption 6.
29	5/1/2012	1239-1242	Handwritten notes	Notes regarding background for investigation and issues to be investigated	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
30	4/2/2013	1244-1245	Handwritten notes	Notes from meeting with representatives of Malkin Holdings	Enforcement attorney	(b)(5)	Redacted in full, attorney work product

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
31	3/19/2013	1247	Handwritten notes	Notes from call with Larry Medvinsky	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
32	12/28/2012	1249-1256	Memo to Enforcement with handwritten notes	Draft memo outlining issues that may require further investigation with handwritten notes commenting on certain aspects of the memo	Corp Fin staff wrote the memo and an Enforcement attorney made the notes	(b)(5)	Redacted in full, attorney work product, deliberative process
33	5/22/2013	1268	Handwritten notes	Notes from conversation with Corp Fin staff regarding ongoing Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
34	2/26/2013	1269	Handwritten notes	Notes from meeting with representatives of Malkin Holdings	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
35	3/5/2013	1270	Handwritten notes	Notes from call with Larry Medvinsky	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
36	undated	1271	Handwritten notes	Notes from call with an investor	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
37	undated	1272	Handwritten notes	Notes regarding tasks to complete for Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
38	2/1/2013	1273	Handwritten notes	Notes from review of documents related in Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
39	2/13/2013	1274-1275	Email string with handwritten notes	Discussion of what to address in call with Malkin Holdings representatives and handwritten comments on certain parts of email	SEC Enforcement attorneys	(b)(5)	Redacted in part, attorney work product, deliberative process
40	undated	1276	Handwritten notes	Notes about status of documents relevant to Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
41	2/14/2013	1277	Handwritten notes	Notes from conversation with Larry Medvinsky	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
42	2/15/2013	1278	Handwritten notes	Notes from conversation with Jennifer Salzberg at Dewey	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
43	undated	1279	Handwritten notes	Notes from conversation with Corp Fin staff regarding ongoing Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
44	2/20/2013	1280-1281	Handwritten notes	Notes from conversation with investor in Empire State Building	Enforcement attorney	(b)(5)	Redacted in full, attorney work product
45	undated	1283	Handwritten notes	Notes regarding issues relevant to Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
46	undated	1284	Handwritten notes	Notes regarding issues relevant to Empire State Realty Trust inquiry	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
47	undated	1285	Handwritten notes	Notes regarding communications with Corp Fin staff about possible steps to take in Empire State Realty Trust inquiry and notes related to other matters	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
48	undated	1286	Handwritten notes	To do list for multiple investigations reflecting deliberations about how to proceed on various matters	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process

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Doc. No.	Date(s)	Bates numbers	Type of Document	Document Description	Author	FOIA Exemption	Redaction Description
49	undated	1342-1344	Handwritten notes	Questions for Corp Fin staff re Empire State inquiry and notes of discussion with Corp Fin staff	Enforcement attorney	(b)(5)	Redacted in full, attorney work product, deliberative process
50	undated	1348, 1351, 1352, 1356	Handwritten notes on letter from Malkin Holdings representatives	Commentary on statements in letter reflecting deliberations about the letter and Empire State Realty Trust inquiry; the letter itself is being produced	Enforcement attorney	(b)(5)	Redacted in part, attorney work product, deliberative process
51	undated	none	Spreadsheet	Index of documents Malkin Holdings produced in class action litigation	Malkin Holdings	(b)(4)	Redacted in full to protect Malkin Holdings' commercial and financial information that it submitted voluntarily and would not customarily release to the public