

FILED
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U. S. DISTRICT COURT E.D. N.Y.

★ JUL 30 1974 ★

TIME A.M. _____
P.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

- against -

FRED C. TRUMP, DONALD TRUMP and
TRUMP MANAGEMENT, INC.,

Defendants.
-----X

Civil Action No.
73 C 1529 (EN)

NOTICE OF MOTION

MISS:

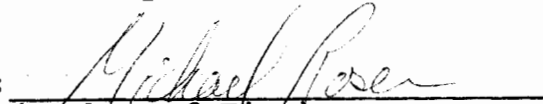
PLEASE TAKE NOTICE, that upon the annexed affidavit of ROY M COHN, the affidavits and statements attached as exhibits hereto and upon all the proceedings heretofore had herein, the undersigned will move this Court on the 16th day of August, 1974, in the Federal Court, Cadman Plaza E., County of Kings, City and State of New York, at 10:00 o'clock in the forenoon of that day, or as soon thereafter as counsel may be heard, for an order finding DONNA F. GOLDSTEIN, Esq., Civil Rights Division of the Department of Justice, guilty of contempt of the court, and for a cease and desist order against the said DONNA F. GOLDSTEIN and any and all other agents of the U. S. Government, ordering the said parties to cease and desist from making any express or implied threats upon any potential witnesses in this proceeding, including, but not limited to, former employees of the defendant, TRUMP MANAGEMENT, INC.

Dated: New York, New York
July 26, 1974

Respectfully,

SAXE, BACON, BOLAN & MANLEY
Attorneys for Defendant

BY:


(Member of Firm)

Office & P.O. Address
39 East 68th Street
New York, New York 10021
Telephone (212) 472-1400

TO: DONNA F. GOLDSTEIN, Esq.
Civil Rights Division
c/o Henry Bracchi, Assistant
U. S. Attorney
United States Department of Justice
225 Cadman Plaza East
Brooklyn, New York

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

Plaintiff,

Civil Action No.
73 C 1529

- against -

AFFIDAVIT

FRED C. TRUMP, DONALD TRUMP,
and TRUMP MANAGEMENT, INC.,

Defendants.

-----X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

ROY M. COHN, being duly sworn, deposes and says:

1. I am senior partner in the firm of SAXE, BACON, BOLAN & MANLEY, attorneys for the defendants, and make this affidavit in support of defendants' motion.

2. The investigation of this case for the Justice Department was initiated by Miss Elyse Goldweber of the Civil Rights Division, Department of Justice. At all times that she was in charge of the said investigation, Miss Goldweber pursued her duties with diligence, but observed legal and ethical strictures.

3. At some time during the investigation, Miss Goldweber was replaced by one DONNA F. GOLDSTEIN, Esq. Commencing with her entry upon the scene, the investigation, which had been conducted within the boundaries of legal propriety, turned into a gestapo-like interrogation. Former employees of the defendants contacted them to complain that Miss Goldstein had berated them with threats of jail and accusations that they were

"lying" and had been "taped" by the government while working for the defendants. Statements of some of these witnesses describing what happened have been obtained and indicate a course of conduct requiring action by this Court. (We attach as Exhibit I the affidavit of Carol R. Falcone, formerly employed as a clerk by Trump Management, Inc.; as Exhibit 2 we attach the affidavit of Thomas Miranda, formerly employed by the defendant; as Exhibits 3 and 4 we attach the witnessed statements of Paul and Paula Ziselman, formerly employed as rental agents by the defendant.) Miss Goldstein's harassment, abuse and disregard for the rights of these prospective witnesses has interfered with, and continues to interfere with, the orderly and proper conduct of this case.

4. On or about June 12, 1974, Miss Goldstein, by-passing counsel, literally descended upon the defendant with representatives of the Civil Rights Division and Student Interns demanding entry into the offices of Mr. Donald Trump, officer of the defendants' corporation, and production of defendants' records. When informed that Miss Goldstein and her associates should contact our offices they persisted in their demands, and only after contacting the United States Attorney for the Eastern District of New York were we able to get them to leave the defendants' offices. (See attached letter of Scott E. Manley, Exhibit 5.)

5. In order to be as helpful as possible to Miss Goldstein and her associates, we provided them with over fifty (50) boxes of defendants' files, which were conveyed to our offices and were completely open to them. We were informed by Miss Goldstein that this investigation would take only a very

"short period" when in fact she and her associates spent from two to three weeks examining the defendants' files in our offices, thereby completely disrupting the functioning of our firm's legal work.

6. The conclusion to be drawn from this conduct is the correctness of our allegation that there is no case here and that there was none when the well-publicized charge was made. Having made such a serious legal charge and having accomplished a publicity blast, the plaintiff is now attempting to build a case by illegal means and to lend artistic verisimilitude to its unsupported complaint.

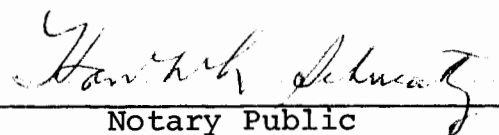
7. I have been informed by representatives of the defendant of the recent activities of Miss Goldstein, badgering and threatening past employees of the defendant, and submit that her tactics are completely out of character for a representative of the United States Government.

WHEREFORE, I respectfully request that the defendants' motion be granted in all respects.



ROY M. COHN

Sworn to before me this
24 day of July, 1974



Notary Public

HAROLD L. SCHWARTZ
Notary Public, State of New York
No. 31-8872220
Qualified in New York County
Commission Expires March 30, 1976

July 19th 1974

I, the undersigned, hereby state that the following statements are true and correct.

I was interviewed by a ^{Ms.} Donna Goldstein, attorney for the Civil Rights Division of the Justice Department and by another attorney on the morning of July 19th 1974 at my place of business in connection with the Civil Rights Suit against my former employer Pump Management. During the lengthy interview which lasted approximately 3½ hours I stated and repeated that I did not discriminate in housing practices during the period of my employment with Pump Management which was about 3½ years.

My position with the Company was that of a clerk. My immediate supervisor was ^{Ms.} Gilbert I personally have never discriminated in my position with the Company which I repeated several times in my statements to the Government Attorneys.

^{Ms.} Goldstein embarrassed and accused me of lying and withholding

information and then threatened that I would be held for perjury and thrown into jail.

She accused me of not legitimately owning my own business and stated that the money I used for its purchase was illegally obtained which it was not.

She accused me of dating Donald Trump in front of my husband which was untrue and very embarrassing nor did Donald Trump ever ask for a date.

She also stated the management office phones were tapped and that she knew thought types that I was guilty which I am not.

She acted in a hostile manner during the 3½ hour interrogation. In fact they made me feel I was a criminal being held on a murder charge. After all I was only in a position of a clerk for the Company and my low rate of pay would bear this out.

Before leaving the premises, she stated she would return again.

for future interrogation with FBI
agents and would see to it that if
I don't testify in her favor she
would have me thrown in jail

I believe the attorney for
the United States Government should
be stopped at once from using
these Gestapo tactics, since we
are still in a free country

Carol R. Falcone

Sworn to before me this
24th day of July, 1974
County of Kings, State of N.Y.

William Preiss

WILLIAM PREISS
Notary Public, State of New York
No. 8431925
Qualified in Queens County
Commission Expires March 30, 1978

July 22nd, 1974

TO WHOM IT MAY CONCERN:

I, Thomas Miranda, residing at 3989 - 50th Street, Woodside, New York, N.Y. 11377 seek protection from the harassment of the U. S. Department of Justice and specifically Ms. Donna Goldstein.

Despite the fact that I have stated on numerous occasions that I have never discriminated or have never been told to discriminate while working for Trump Management, and although I have no great liking for Trump Management, I have constantly and persistently been called upon by Ms. Goldstein to go against Trump Management, even though, if I did, I would be lying.

Additionally, she stated that if I did not cooperate with her and in effect "lie" in order to help her in her ambitions and winning her case, " I will be thrown into jail".

I can no longer tolerate this persecution and am asking for the immediate cessation of any further dealings with Ms. Goldstein.

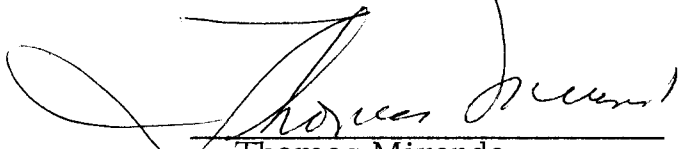
I refuse to change my testimony in that I will not lie under any circumstances regardless of Ms. Goldstein's unyielding threats.

Additionally, I would like to add that I am a Spanish speaking Puerto Rican hired directly by Mr. Donald Trump.

Sworn to before me this
22nd day of July 1974

County of Kings
State of New York

William Preiss


Thomas Miranda

WILLIAM PREISS
Notary Public, State of New York
No. 8431925
Qualified in Queens County
Commission Expires March 30, 1976

EXHIBIT 2

100 Jedwood Place
Valley Stream, L.I., N.Y.
July 19th, 1974

TO WHOM IT MAY CONCERN:

I, Paul Ziselman hereby make the following true and correct statements of my own free will:

I was formerly employed by Trump Management on a part-time basis as a rental agent at Beach Haven Apartments, 2611 W. 2nd Street, Brooklyn, New York. During my period of employment I personally never discriminated against any prospective tenants regardless of race, color or creed.

Additionally, I have never been instructed by any superior of the Trump Office, nor was it ever suggested or stated to me in any way, manner or form to follow a racially discriminatory rental policy while I was employed by this company. In fact, during such employment I rented many apartments to minorities, including blacks.

Despite the above mentioned, I was visited by a representative of the Justice Department who stated that an "FBI Agent" would be back to continue the interrogation. These statements were made in a threatening manner and I strongly resent and object to it. I was especially harassed and intimidated by a Donna Goldstein and in my opinion, her unethical conduct in itself should be a matter of investigation.

WITNESSED:

Paula Ziselman

Paul Ziselman
PAUL ZISELMAN

EXHIBIT 3

100 Jedwood Place
Valley Stream, L.I., N.Y.
July 19th, 1974

TO WHOM IT MAY CONCERN:

I, ^{PAULA fz} ~~Paul~~ Ziselman hereby make the following statements of my own free will, which are true and correct.

I was formerly employed by Trump Management on a part-time basis as a rental agent at Beach Haven Apartments, 2611 W. 2nd Street, Brooklyn, New York. During my employment under no circumstances did I ever discriminate, nor was I ever told to discriminate by any superior of Trump Management against any person regardless of race, color or creed desiring the rental of an apartment.

Paula Ziselman
~~*Paul Ziselman*~~
PAULA Z'ZELMAN

WITNESSED:

Paul Zuckin

EXHIBIT 4