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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

KOLAN DAVIS, STAFF DIRECTOR AND CHIEF COUNSEL
JOSHUA SHEINMAN, DEMOCRATIC STAFF DIRECTOR

William M. Osterbrock, Esq.



June 10, 2019

Dear Mr. Osterbrock:

This letter regards the Senate Finance Committee's investigation into certain conservation-casement transactions, an investigation that began on March 27 of this year, and we are writing to follow up on your response of May 24 to our initial request for information from your clients Messrs. Matthew Campbell, Eugene "Chip" Pearson, Jr., and Mark A. Pickett.

In your response of May 24, you declined to provide names of your client's investors "due to the fact that such investor lists contain personally identifiable information, which we are prohibited from disclosing under various state rules and regulations...." Your letter provides no basis to withhold this information from Congress, as the statute and regulation you cite do not restrict the Committee's access to the information it seeks in furtherance of its oversight and legislative responsibilities. *See* 15 U.S.C. § 6802(e)(8); 17 C.F.R. § 248.15(a)(7).¹ We now ask again for such information, which is crucial for this investigation. This applies to all requests for information relating to investor identification, including meeting minutes, vote tallies, etc. Accordingly, please fully respond to our requests in our March 27 letter we sent to your clients no later than **June 21, 2019**. Thank you for your attention to this important matter.

Sincerely,

Handwritten signature of Chuck Grassley in blue ink.

Charles E. Grassley
Chairman
Senate Committee on Finance

Handwritten signature of Ron Wyden in blue ink.

Ron Wyden
Ranking Member
Senate Committee on Finance

¹ Indeed, Courts have consistently recognized that general confidentiality statutes do not prohibit the production of information to Congress unless those statutes specifically refer to Congress. *See, e.g., F.T.C. v. Owens-Corning Fiberglass Corp.*, 626 F.2d 966, 970 (D.C. Cir. 1980); *Exxon Corp. v. F.T.C.*, 589 F.2d 582, 585-86 (D.C. Cir. 1978), *cert denied*, 441 U.S. 943 (1979); *Ashland Oil Co., Inc. v. F.T.C.*, 548 F.2d 977, 979 (D.C. Cir. 1976)).