EXHIBIT B

FDIC

Federal Deposit Insurance Corporation
550 17th Street, NW, Washington, DC 20429-9990   Legal Division

March 9, 2016

Douglas Capuder, Esquire
Capuder Faxio Giacoia LLP
90 Broad Street
New York, New York 10004-2627

      RE: FDIC FOIA Request Log Number 16-0162

Dear Mr. Capuder:

This is in response to your February 29, 2016 Freedom of Information Act (FOIA) request for

> [1] a complete copy of the transcript of the trial held January 11-14, 2016 in this
> case: *In re Pinchus D. Raice, individually, and as an institution-affiliated party of
> The Park AvenueBank, New York, New York (In Receivership) (Insured State
> Nonmember Bank)*; Case number: FDIC-14-119k[; and]

> [2] complete copies of the exhibits marked or introduced at the trial.

You stated that "[t]he trial was open to the public held in a courtroom of the United States
District Court, Eastern District of New York. I was personally present throughout the trial. Trial
exhibits were posted on large LCD displays that were visible to me and others throughout the
courtroom." You further stated that "I am an attorney representing Deep Woods Holdings, LLC.
Both Deep Woods and its manager Donald G. Glascoff, Jr., were referred to throughout the trial.
They have authorized release to me of the material requested here."[1]

The proceeding about which your request seeks information is ongoing, and a final decision and
order has not yet been made.[2] Your request seeks records which, if they existed and could be
located, would have been compiled for law enforcement purposes. At this time, the production
to you of any such Records as requested could reasonably be expected to interfere with law

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[1] By separate letters of February 24, 2016, the FDIC made its final response to your two earlier requests for similar
or related information (FDIC FOIA Request Log Nos. 16-0130, and 16-0148). Both letters suggested that, if you
submit a new FOIA request, you should include authorizations for the disclosure of information to you in
accordance with applicable requirements. I note that your latest request was not accompanied by any authorizations
for the disclosure of information to you. However, in light of the FDIC's final determination of this request, the
absence of authorizations for the disclosure of information is immaterial.

[2] As you may be aware, final decisions and orders made by the FDIC in formal enforcement actions against financial
institutions that are regulated by the FDIC or against their affiliated parties, including final orders and notices of
charges are made publicly under subsection (a)(2) of the FOIA, 5 U.S.C. §552(a)(2). The "FDIC Enforcement
Decisions and Orders" (ED&O) contains the full text of the formal enforcement actions. The ED&O is publicly
available on the FDIC's website, www.fdic.gov, at https://www5.fdic.gov/EDO/index.html. After the final decision
and order is made in the enforcement proceeding about which you requested information, the final decision and
order will be publicly available on the FDIC's website under subsection (a)(2) of the FOIA.

enforcement proceedings. Therefore, your request is being denied under FOIA Exemption 7(A), 5 U.S.C. §552(b)(7)(A).

Exemption 7(A) permits the withholding of records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement record or information could reasonably be expected to interfere with enforcement proceedings.

This letter constitutes formal notification that your request has been denied. You have the right to appeal this determination to the FDIC's General Counsel within 30 business days following receipt of this letter. If you decide to appeal, please submit your appeal in writing to the General Counsel. Your appeal should be addressed to the FOIA/PA Group, Legal Division, FDIC, 550 17th Street, NW, Washington, D.C. 20429.   Please refer to the log number and include any additional information that you would like the General Counsel to consider.

The processing of this request now has been completed. This request was processed at no cost to you.

If you have any questions about this matter, you may reach me by telephone at: 703-562-2039.

Sincerely,

/signed/

Jerry Sussman, Sr. FOIA Specialist
FOIA/Privacy Act Group

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