

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

RICHARD EDELMAN, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SECURITIES AND EXCHANGE , )  
 COMMISSION, )  
 )  
 Defendant. )  
\_\_\_\_\_ )

Civil Action No. 14-1140 (RDM)

**Exhibit D**

Affidavit

*Leonard A. Gero*  
*26 South Hollows Court*  
*Muttontown, NY 11732*

My name is Leonard Gero.

I have filed several complaints with the SEC concerning an offer to purchase the Empire State Building by Empire State Realty Trust, Inc.

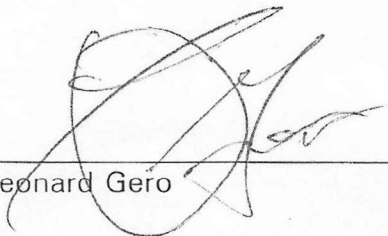
My wife's family members and I have been original investor owners of the Empire State Building since 1961.

I have reviewed the consumer complaints provided to Richard Edelman by the SEC.

In doing so, I only see (5) five of my 13 letters/complaints that I made to the SEC. Those are my letters of 2/4/14, 5/24/13, 6/19/13, 9/18/12, and 12/4/12.

I ask that these additional nine (8) eight complaints be released to the public.

I declare under penalty of perjury that the foregoing is true and correct according to my review of the schedule of complaints that have ben provided.

  
Leonard Gero

7/11/2016  
Date