

**From:** [Gast, Scott F. EOP/WHO](#)  
**To:** [David J. Apol](#)  
**Subject:** Re: Call with Abbe  
**Date:** Monday, May 11, 2020 12:12:16 PM

---

I could check if 11 am works for Abbe. Would that work for you?

On May 11, 2020, at 11:54 AM, David J. Apol <djapol@oge.gov> wrote:

I'm packed in tomorrow afternoon between noon and 4. I could do tomorrow morning or after 4.

---

**From:** Gast, Scott F. EOP/WHO [mailto:(b) (6)]

**Sent:** Monday, May 11, 2020 11:51 AM

**To:** David J. Apol <djapol@oge.gov>

**Subject:** Call with Abbe

Hi Dave. Would you be available for a call with Abbe between 1 and 3 pm tomorrow, or Wednesday or Thursday afternoon?

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**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#)  
**Subject:** RE: CD - OGE-2020-023  
**Date:** Thursday, June 4, 2020 10:54:35 AM

---

We replaced that CD. We have a process for replacing CDs if there is an error with the initial CD.

---

**From:** David J. Apol  
**Sent:** Thursday, June 4, 2020 10:51 AM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>  
**Subject:** RE: CD - OGE-2020-023

Haven't we withdrawn CDs when there were errors? (b)(5)

And yes, let's get Kim on the call.

---

**From:** Elaine Newton  
**Sent:** Thursday, June 4, 2020 10:49 AM  
**To:** David J. Apol <[djapol@oge.gov](mailto:djapol@oge.gov)>  
**Cc:** Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>  
**Subject:** RE: CD - OGE-2020-023

Dave,

OGE has a process for withdrawing CD requests, but I am not aware of OGE withdrawing a CD once it has been issued. Once the CD is issued the employee may decide not to use the CD. As you may recall, we had a situation come up at the end of 2018 with (b)(5)

We can discuss why this situation is different.

I requested a meeting with you for tomorrow morning at 11:00 to review a CD. Please let me know if I should ask Kim to sit in on the meeting (Kim worked on the Kushner and Treasury CDs.)

Thanks, Elaine

---

**From:** David J. Apol  
**Sent:** Thursday, June 4, 2020 10:08 AM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>; Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>  
**Cc:** Emory A. Rounds III <[earounds@oge.gov](mailto:earounds@oge.gov)>; Shelley K. Finlayson <[skfinlay@oge.gov](mailto:skfinlay@oge.gov)>  
**Subject:** FW: CD - OGE-2020-023

Attachment with file name  
"OGE CD Letter.pdf"  
released below

This request to withdraw the CD was done at our request, since given the change or delay in Cadre's plans to go international, the bases for the conclusion that the sale of Cadre was reasonably necessary to avoid a conflict of interest was no longer valid.

Elaine, can you figure out how we have withdrawn CDs in the past and begin the process to withdraw this one.

Thanks.

---

**From:** Lowell, Abbe [mailto:(b) (6)] Same attachment  
**Sent:** Tuesday, June 2, 2020 3:52 PM  
**To:** David J. Apol <djapol@oge.gov>  
**Cc:** Gast, Scott F. EOP/WHO (b) (6); Man, Christopher <(b) (6)>  
**Subject:** CD - OGE-2020-023

Mr. Apol,

Please see the attached.

Sincerely,

Abbe Lowell

## **Abbe David Lowell**

### **Partner**

Winston & Strawn LLP  
1901 L Street, N.W.  
Washington, DC 20036

D: +(b) (6)  
F: +1 202-282-5100

200 Park Avenue  
New York, NY 10166-4193

D: +(b) (6)  
F: +1 212-294-4700

[VCard](#) | [Email](#) | [winston.com](#)

**WINSTON  
& STRAWN**  
LLP

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ABBE DAVID LOWELL  
Partner

(b) (6)

June 2, 2020

VIA EMAIL (DJAPOL@OGE.GOV)

David Apol, Esq.  
General Counsel  
United States Office of Government Ethics  
1201 New York Avenue, NW, Suite 500  
Washington, DC 20005

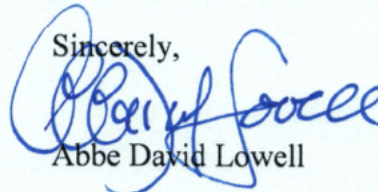
Re: Certificate of Divestiture No. OGE-2020-023

Dear Mr. Apol:

As counsel to Jared Kushner, I am writing to request the withdrawal of the Certificate of Divestiture No. OGE-2020-023 that you issued to Mr. Kushner on February 26, 2020 concerning the sale of his stock in Quadro Partners, Inc. d/b/a Cadre. In doing so, I would note that Mr. Kushner may seek the reissuance of this Certificate of Divestiture in the near future.

Mr. Kushner sought the Certificate of Divestiture because Cadre had intended to seek foreign investment into and other possible foreign activities by the company, which could raise various conflicts of interest for him. However, not surprisingly, Cadre's plans have been interrupted by the coronavirus pandemic. Although Cadre remains interested in seeking such foreign investment and activity in the future, it is not yet clear if or when such a decision to do so will be made and implemented. Thus, Mr. Kushner's ownership stake in Cadre no longer appears poised to create the sort of immediate conflicts that would warrant a Certificate of Divestiture now. If that situation should change and Cadre again decides to move forward in seeking foreign investment, something that is likely to occur, Mr. Kushner and I may reach out to you again regarding the reissuance of this Certificate of Divestiture.

Sincerely,



Abbe David Lowell



**From:** [Elaine Newton](#)  
**To:** [Kimberly L. Sikora Panza](#); [David J. Apol](#)  
**Subject:** FW: CD

---

Hi Kim,

Dave asked me to extend this meeting invite to you.

Thanks, Elaine

-----Original Appointment-----

From: Elaine Newton

Sent: Thursday, June 4, 2020 8:57 AM

To: Elaine Newton; David J. Apol

Subject: CD

When: Friday, June 5, 2020 11:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Elaine will call Dave

**From:** [Kimberly L. Sikora Panza](#)  
**To:** [Elaine Newton](#)  
**Subject:** Accepted: FW: CD

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**From:** [Kimberly L. Sikora Panza](#)  
**To:** [Elaine Newton](#)  
**Subject:** RE: CD meeting  
**Date:** Thursday, June 4, 2020 11:54:25 AM

---

Sounds good!

---

Kimberly L. Sikora Panza  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Avenue NW, Suite 500  
Washington, DC 20005  
202.482.9214

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**From:** Elaine Newton  
**Sent:** Thursday, June 4, 2020 11:54 AM  
**To:** Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>  
**Subject:** RE: CD meeting

I'm going to try and use my cell phone, which should allow me to add a third person. I will call you when we are finished talking about the CD. Thanks, Elaine

---

**From:** Kimberly L. Sikora Panza  
**Sent:** Thursday, June 4, 2020 11:41 AM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>  
**Subject:** RE: CD meeting

Hi Elaine,

Sorry I missed your call. I am happy to join the call for tomorrow – would you like me to dial in at 11 and just hang out while yall discuss the other CD? (Happy to do so, but didn't want to 'interfere' in that discussion!)

Kim

---

Kimberly L. Sikora Panza  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Avenue NW, Suite 500  
Washington, DC 20005  
202.482.9214

---

**From:** Elaine Newton

**Sent:** Thursday, June 4, 2020 11:09 AM

**To:** Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>

**Subject:** CD meeting

Hi Kim,

Are you able to participate in the CD call tomorrow? I have a call set-up for tomorrow morning at 11:00 a.m. with Dave. I have one CD to review with Dave and then we can talk about the Kushner CD.

Thanks, Elaine



**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#)  
**Cc:** [Kimberly L. Sikora Panza](#)  
**Subject:** CD OGE-2020-023  
**Date:** Friday, June 5, 2020 3:21:56 PM

---

Dave,

I will be logging off at 4:00 p.m. today. Should I reschedule our meeting for Monday?

Elaine

**From:** [David J. Apol](#)  
**To:** [Elaine Newton](#); [Kimberly L. Sikora Panza](#)  
**Subject:** FW: Kushner CD Request  
**Date:** Tuesday, June 9, 2020 5:01:01 PM  
**Attachments:** [OGE CD Letter.pdf](#)

Attachment released on page 4.

---

Here is the request to withdraw the Kushner CD. Could you draft the brief letter we discussed to Mr. Kushner telling him the CD is no longer valid.

Thanks.

Dave

---

**From:** Gast, Scott F. EOP/WHO [mailto:(b) (6)]  
**Sent:** Tuesday, June 9, 2020 4:08 PM  
**To:** David J. Apol <djapol@oge.gov>  
**Cc:** Jones, David M. EOP/WHO (b) (6)  
**Subject:** FW: Kushner CD Request

No attachment found in search.

Dave,

Per our discussion, at the filer's request, I am forwarding the attached letter requesting withdrawal of the request for a certificate of divestiture sent to OGE on December 20, 2019. As indicated in the attached letter, the impact of the COVID-19 pandemic has caused a change in circumstances such that divestiture of the property is not currently required.

Please let me know if you have any questions.

Thanks,  
Scott

---

**From:** Vetter, Mark A. EOP/OA <(b) (6)>  
**Sent:** Friday, December 20, 2019 4:31 PM  
**To:** 'CD' <[cd@oge.gov](mailto:cd@oge.gov)>  
**Cc:** 'David J. Apol' <[djapol@oge.gov](mailto:djapol@oge.gov)>; Gast, Scott F. EOP/WHO <(b) (6)>  
**Subject:** Kushner CD Request

No attachment found in search.

CD Team:

Please see the attached request from Jared Kushner for a CD for his Quadro Partners (d/b/a Cadre).

Please reach out to me if you have any questions about this matter.

v/r  
Mark

Mark A. Vetter

Senior Associate General Counsel  
Office of Administration  
Executive Office of the President

Ph: (b) (6) (o) / (b) (6)

(b) (6)

**From:** [Kimberly L. Sikora Panza](#)  
**To:** [Elaine Newton](#)  
**Subject:** RE: Kushner CD  
**Date:** Wednesday, June 10, 2020 8:53:22 AM  
**Attachments:** [KSP edits CD Withdrawn \(Kushner\).docx](#)  
[KSP Comments OGE-2020-023 WITHDRAWN1.pdf](#)  
[KSP Alt. Version Updated Kushner. Jared OGE-2020-023.pdf](#)

Withheld in full (b)(5): 1st attachment 1 pp;  
2nd and 3rd attachments 2 pp each

Hi Elaine,

Thanks! I have two super minor comments questions on the letter (in track changes/comment bubbles, attached).

Re the CD proper, I think that looks fine. My only big picture suggestion is that I think it would be helpful to (b) (5)

(b) (5)

The first attached PDF is the version you sent in which I (b) (5)

The second attached PDF is another option (b) (5)

(b) (5).

As always, feel free to accept or reject my suggestions! 😊

Kim

---

Kimberly L. Sikora Panza  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Avenue NW, Suite 500  
Washington, DC 20005  
202.482.9214

---

**From:** Elaine Newton  
**Sent:** Wednesday, June 10, 2020 7:36 AM  
**To:** Kimberly L. Sikora Panza <klspanza@oge.gov>  
**Subject:** Kushner CD

Withheld in full (b)(5): 1 pp attachment with file name "CD Withdrawn (Kushner)"; 2 pp attachment with file name "OGE-2020-023 WITHDRAWN1.pdf"

Good morning Kim,

If you have a chance, could you please review the draft of the letter and CD withdrawing Kushner's CD?

Thanks, Elaine

**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#)  
**Cc:** [Kimberly L. Sikora Panza](#)  
**Subject:** Withdrawing Kushner CD  
**Date:** Wednesday, June 10, 2020 11:44:05 AM  
**Attachments:** [Letter Withdrawing CD \(Kushner\).docx](#)  
[OGE-2020-023 WITHDRAWN.pdf](#)

Withheld in full (b)(5): 1st attachment 1 pp; 2nd attachment 2 pp

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Dave,

Attached are the draft documents withdrawing Mr. Kushner's 2019 CD. I believe the plan is to

(b)(5)

. Please let me know if that is not correct.

Thanks, Elaine

**From:** [Kimberly L. Sikora Panza](#)  
**To:** [Elaine Newton](#)  
**Date:** Thursday, June 11, 2020 2:37:35 PM

---

Elaine-

This comment is absolutely how I feel (though I don't think I articulated it as well as you did in my wordy comments 😊)

(b) (5)

A large black rectangular redaction box covers the text in this block.

Kim

---

Kimberly L. Sikora Panza  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Avenue NW, Suite 500  
Washington, DC 20005  
202.482.9214

**From:** [Kimberly L. Sikora Panza](#)  
**To:** [Elaine Newton](#)  
**Subject:** RE: Withdrawn CD  
**Date:** Friday, June 12, 2020 7:00:00 PM

---

Hi Elaine,

I don't have anything to add – as you know, (b) (5)

I really liked your re-write, (b) (5)

Thanks,  
Kim

---

Kimberly L. Sikora Panza

Associate Counsel

U.S. Office of Government Ethics

1201 New York Avenue NW, Suite 500

Washington, DC 20005

202.482.9214

-----Original Appointment-----

**From:** Elaine Newton

**Sent:** Friday, June 12, 2020 12:56 PM

**To:** David J. Apol; Kimberly L. Sikora Panza

**Subject:** Withdrawn CD

**When:** Wednesday, June 17, 2020 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Elaine will call Dave

Kim, (b)(6) personal, but please let us know if you have any additional thoughts on the subject. Thanks, Elaine



**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#); [Kimberly L. Sikora Panza](#)  
**Subject:** Withdrawn CD

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Kim, (b)(6) personal [REDACTED], but please let us know if you have any additional thoughts on the subject. Thanks, Elaine

**From:** [David J. Apol](#)  
**To:** [Elaine Newton](#)  
**Subject:** Accepted: Withdrawn CD

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**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#); [Kimberly L. Sikora Panza](#)  
**Subject:** RE: Letter Withdrawing CD (Kushner).docx  
**Date:** Wednesday, June 17, 2020 10:47:57 AM  
**Attachments:** [CLEAN THIRD DRAFT Letter Withdrawing CD \(Kushner\)1.docx](#)

(b)(5) - 1 page attachment withheld in full.

Good morning,

Attached is a clean copy of the revised letter.

Elaine

---

**From:** David J. Apol  
**Sent:** Monday, June 15, 2020 12:30 PM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>; Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>  
**Subject:** RE: Letter Withdrawing CD (Kushner).docx

Withheld in full (b)(5): Attachment 1 pp "Third DRAFT Letter Withdrawing CD (Kushner)1.docx"

I think you guys are right. I've made a couple minor changes but I think (b) (5)

Once we finalize, I need to give Emory and Shelley a heads up before we go out with it.

Thanks.

---

**From:** Elaine Newton  
**Sent:** Thursday, June 11, 2020 2:31 PM  
**To:** Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>; David J. Apol <[djapol@oge.gov](mailto:djapol@oge.gov)>  
**Subject:** RE: Letter Withdrawing CD (Kushner).docx

Withheld in full (b)(5): Attachment 1 pp "SECOND DRAFT Letter Withdrawing CD (Kushner)1.docx"

Good afternoon,

Attached is a revised letter withdrawing the Kushner CD. I followed Kim's suggestion and tried to

(b) (5)

Thanks, Elaine

---

**From:** Kimberly L. Sikora Panza  
**Sent:** Wednesday, June 10, 2020 9:26 PM  
**To:** David J. Apol <[djapol@oge.gov](mailto:djapol@oge.gov)>; Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>  
**Subject:** RE: Letter Withdrawing CD (Kushner).docx

Withheld in full (b)(5): Attachment 2 pp "KSP comments Letter Withdrawing CD (Kushner).docx"

Hi Dave,

Thanks for sharing the updated draft. I've included some comments/questions/edits in the attached draft – I think they are fairly self-explanatory, but please let me know if anything is unclear. As set forth in my comments, (b) (5)

[Redacted]

[Redacted] It goes without saying, but please feel free to accept or reject any of my suggestions - I'm happy to discuss at your convenience.

Thanks!

Kim

---

Kimberly L. Sikora Panza  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Avenue NW, Suite 500  
Washington, DC 20005  
202.482.9214

---

**From:** David J. Apol  
**Sent:** Wednesday, June 10, 2020 6:12 PM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>  
**Cc:** Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>  
**Subject:** Letter Withdrawing CD (Kushner).docx

Withheld in full (b)(5): Attachment 1 pp "Letter Withdrawing CD (Kushner).docx"

I fleshed it out a little. Please double check.

Dave

**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#)  
**Subject:** Withdrawn CD  
**Date:** Wednesday, June 17, 2020 2:39:28 PM  
**Attachments:** [DRAFTLetter Withdrawing CD \(Kushner\).docx](#)  
[OGE-2020-023 WITHDRAWN.pdf](#)

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Withheld in full (b)(5): 1st attachment 1 pp; 2nd attachment 2 pp

Dave,

Attached is the draft letter for Scott Gast.

Elaine

**From:** [David J. Apol](#)  
**To:** [Emory A. Rounds III](#); [Shelley K. Finlayson](#)  
**Cc:** [Elaine Newton](#)  
**Subject:** Withdraw of Kushner CD  
**Date:** Wednesday, June 17, 2020 3:52:35 PM  
**Attachments:** [DRAFT Letter Withdrawing CD \(Kushner\).docx](#)  
[OGE-2020-023 WITHDRAWN.pdf](#)

Withheld in full (b)(5): 1st attachment 1 pp; 2nd attachment 2 pp

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Attached is the withdraw of the Kushner CD along with a letter we will send to his DAEO.

(b) (5)



Let me know what you think.

Dave

David J. Apol  
General Counsel  
U.S. Office of Government Ethics  
(202) 482 - 9300

**From:** [Gast, Scott F. EOP/WHO](#)  
**To:** [David J. Apol](#)  
**Subject:** FW:  
**Date:** Wednesday, June 24, 2020 12:00:21 PM  
**Attachments:** [DRAFTLetter Withdrawing CD \(Kushner\).docx](#)

(b)(5) - 1 page attachment withheld in full.

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Thanks, Dave.

(b) (5)

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**From:** David J. Apol <djapol@oge.gov>

**Sent:** Tuesday, June 23, 2020 5:56 PM

**To:** Gast, Scott F. EOP/WHO (b) (6) >

**Subject:**

Scott,

Withheld in full (b)(5): Attachment 1 pp  
"DRAFTLetter Withdrawing CD (Kushner)"

Please take a look at this withdraw letter to make sure it accurately describes the information you provided us and your determination. (b) (5)

Thanks.

David J. Apol  
General Counsel  
U.S. Office of Government Ethics  
(202) 482 - 9300

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**From:** [Elaine Newton](#)  
**To:** [David J. Apol](#)  
**Subject:** RE:  
**Date:** Thursday, June 25, 2020 3:46:33 PM

---

I moved the letter, withdrawn CD and instructions on digitally signing a PDF into the [REDACTED] (b)(6) internal agency network address

---

**From:** David J. Apol  
**Sent:** Thursday, June 25, 2020 3:32 PM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>  
**Subject:** RE:

Make's sense to me. Let's date them tomorrow. Thanks.

---

**From:** Elaine Newton  
**Sent:** Thursday, June 25, 2020 3:29 PM  
**To:** David J. Apol <[djapol@oge.gov](mailto:djapol@oge.gov)>  
**Subject:** RE:

Dave,

[REDACTED] (b) (5)

Elaine

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**From:** David J. Apol  
**Sent:** Thursday, June 25, 2020 3:16 PM  
**To:** Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>; Kimberly L. Sikora Panza <[klspanza@oge.gov](mailto:klspanza@oge.gov)>  
**Subject:** FW:

[REDACTED] Withheld in full (b)(5): Attachment 1 pp "DRAFTLetter Withdrawing CD (Kushner)"

Please put this letter in final, and then will send it to the WH prior to posting the withdraw.

Thanks.

[REDACTED] Remaining of the chain released above

**From:** [David J. Apol](#)  
**To:** [Shelley K. Finlayson](#)  
**Cc:** [Emory A. Rounds III](#)  
**Subject:** Kushner CD and NLRB  
**Date:** Friday, June 26, 2020 11:08:34 AM  
**Attachments:** [OGE-2020-023 WITHDRAWN.PDF](#)

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Withheld in full (b)(5): Attachment 1 pp "OGE-2020-023 WITHDRAWN.PDF"

FYI

I'm sending Scott the letter withdrawing the Kushner CD today. (b) (5)

Also, Emory has signed the NLRB reg. (b) (5)

David J. Apol  
General Counsel  
U.S. Office of Government Ethics  
(202) 482 - 9300

**From:** [David J. Apol](#)  
**To:** [Gast, Scott F. EOP/WHO](#)  
**Cc:** [Elaine Newton](#)  
**Subject:** Withdraw of CD  
**Date:** Friday, June 26, 2020 11:34:00 AM  
**Attachments:** [Kushner Letter \(6-26-20\).pdf](#)

---

Attachment released below.

Scott,

As we discussed, attached is the letter withdrawing Mr. Kushner's CD due to changes in circumstances. We plan to note that the CD has been withdrawn with the public record of the original CD. We plan to do that Monday to give you a chance to forward the letter to Mr. Kushner.

Let me know if you have any questions.

Thanks.

Dave

David J. Apol  
General Counsel  
U.S. Office of Government Ethics  
(202) 482 - 9300

UNITED STATES OFFICE OF  
GOVERNMENT ETHICS



June 26, 2020

Scott F. Gast  
Designated Agency Ethics Official  
The White House Office  
Washington, DC 20500

Dear Mr. Gast:

On December 20, 2019, you forwarded a certificate of divestiture (CD) request from Jared C. Kushner for his financial interest in Quadro Partners Inc. This request was based on Mr. Kushner's understanding that Quadro Partners intended to start engaging in an investment strategy that could create a conflict of interest with his official duties. On February 26, 2020, the Office of Government Ethics (OGE) issued CD OGE-2020-023 for Mr. Kushner's Quadro Partners stock.

On June 2, 2020, Mr. Kushner's counsel informed your office and OGE that due to recent events Quadro Partners had decided not to pursue their proposed investment strategy at this time and does not know when it will do so. Consequently, your office determined that, at this time, the divestiture of Quadro Partners Inc. is not reasonably necessary to avoid a conflict of interest.

Based on the information which you provided, OGE is withdrawing CD OGE-2020-023. The CD is no longer valid and may not be used. If Quadro Partners decides to proceed with the proposed investment strategy in the future, OGE will evaluate the situation at that time.

Please provide Mr. Kushner with a copy of this letter.

Sincerely,

DAVID APOL Digitally signed by DAVID APOL  
Date: 2020.06.26 11:29:38 -0400

David J. Apol  
General Counsel

Attachment



**From:** [David J. Apol](#)  
**To:** [Gast, Scott F. EOP/WHO](#)  
**Cc:** [Elaine Newton](#)  
**Subject:** Withdrawn CD  
**Date:** Friday, June 26, 2020 11:40:24 AM  
**Attachments:** [OGE-2020-023 WITHDRAWN.PDF](#)

---

Attachment released below.

Scott,

Here is the actual withdraw of the CD. This is what we will be posting. Please pass this on to Mr. Kushner as well.

Thanks.

David J. Apol  
General Counsel  
U.S. Office of Government Ethics  
(202) 482 - 9300



**CERTIFICATE OF DIVESTITURE**

**CERTIFICATE NO:** OGE-2020-023 **(On June 26, 2020, this CD was withdrawn at the request of the eligible person.)**

**DATE OF ISSUANCE:** February 26, 2020

**ELIGIBLE PERSON:** Jared C. Kushner, White House Office

**[The divestiture property is identified in the attachment to this Certificate.]**

**[Please note: Upon the sale of this property, only the capital gain realized under Federal tax law is eligible for deferral under section 1043. This Certificate of Divestiture does not apply to ordinary compensation income.]**

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code and 5 C.F.R. § 2634.1002 with respect to the specific property described in the attachment. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

Section 1043 of the Internal Revenue Code and the rules of 5 C.F.R. part 2634, subpart J provide for nonrecognition of gain in the case of sales to comply with conflict of interest requirements. The substantive and procedural rules relating to the tax aspects of such sales and rollovers pursuant to the statutory scheme are subject to the jurisdiction of the Internal Revenue Service. Eligible persons should seek the advice of their personal tax advisors for guidance as to the tax aspects of divestiture transactions and whether proposed acquisitions meet the requirements for permitted property. Internal Revenue Service regulations and other guidance should also be consulted as to these matters. Eligible persons must follow Internal Revenue Service requirements for reporting dispositions of property and making an election not to recognize gain under section 1043 (IRS Form 8824).

A Certificate of Divestiture may only be used if the person identified above is an “eligible person” at the time of divestiture. The rules of 5 C.F.R. part 2634, subpart J relate to the issuance of Certificates of Divestiture and the permitted property into which reinvestment must be made during the 60-day period beginning on the date of such a sale in order for nonrecognition to be permitted. Such reinvestments are called rollovers, and are limited to obligations of the United States and diversified investment funds as defined in 5 C.F.R. § 2634.1003.

**DAVID  
APOL**

David J. Apol  
General Counsel

Digitally signed by  
DAVID APOL  
Date: 2020.02.26 18:13:14  
-05'00'

Attachment







**From:** [David J. Apol](#)  
**To:** [Gast, Scott F. EOP/WHO](#)  
**Subject:** FW: Withdrawn CD  
**Date:** Monday, June 29, 2020 10:22:42 AM  
**Attachments:** [OGE-2020-023 WITHDRAWN.pdf](#)

Attachment released below.

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Scott,

There was an error on the date on the second page of the CD I sent you Friday. We caught it in our double check before posting. This is the one that we will post.

Sorry for the error.

Dave

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**From:** Elaine Newton  
**Sent:** Monday, June 29, 2020 9:20 AM  
**To:** David J. Apol <djapol@oge.gov>  
**Subject:** Withdrawn CD

Dave,

I had to correct the date on the second page of the withdrawn CD. Attached is the corrected CD. I check the CDs before they are posted and that is when I spotted the error.

Sorry for the mistake. Elaine



**CERTIFICATE OF DIVESTITURE**

**CERTIFICATE NO:** OGE-2020-023 **(On June 26, 2020, this CD was withdrawn at the request of the eligible person.)**

**DATE OF ISSUANCE:** February 26, 2020

**ELIGIBLE PERSON:** Jared C. Kushner, White House Office

**[The divestiture property is identified in the attachment to this Certificate.]**

**[Please note: Upon the sale of this property, only the capital gain realized under Federal tax law is eligible for deferral under section 1043. This Certificate of Divestiture does not apply to ordinary compensation income.]**

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code and 5 C.F.R. § 2634.1002 with respect to the specific property described in the attachment. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

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**DAVID  
APOL**

David J. Apol  
General Counsel

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DAVID APOL  
Date: 2020.02.26 18:13:14  
-05'00'

Attachment



